PROCEEDINGS

OF THE

TRAVANCORE

SRI MULAM ASSEMBLY

Vol. XV—Nos. 1 to 11

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TO THE

PROCEEDINGS

OF THE

TRAVANCORE

SRI MULAM ASSEMBLY

Vol. XV—Nos. 1 to 11.

22nd January 1940 to 22nd June 1940
9th Makaram 1115 to 9th Mithunam 1115

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PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT.*)

SECOND ASSEMBLY.

SIXTH SESSION.

Monday the 22nd January, 1940/9th Makaram, 1115.

QUESTIONS AND ANSWERS.

The Travancore Sri Mulam Assembly met in the Legislative Chamber at 11 O' clock with Sachivottama Sir C. P. Ramaswami Aiyar K. C. I. E., LL.D., Dewan-President, in the chair.

NEW MEMBERS.

The following new members took the oath and signed the Rolls :—

Sahib Bahadur N. M. Abdul Khadir
Mr. C. V. Chandrasekharan
Mr. M. S. Doraiswami Aiyangar
Mr. M. Govinda Pillai
Dr. S. Kamesam
Mr. Puthupally S. Krishna Pillai
Mr. V. Kunjukrishnan
Mr. H. O. L. Maricair
Mr. M. R. Narayana Pillai
Mr. G. Narayanan Tampi
Mr. M. K. Nilakanta Aiyar
Dr. G. D. Nokes
Mr. M. Ramachandra Rao
Mr. K. Sankaran

Moral and religious instruction to prisoners in the Central Prison.

1. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapalli cum Kartigapalli*): Will the Government be pleased to state:

(*a*) whether arrangements are made to give moral and religious instruction to prisoners in the Central Prison; and

(*b*) whether those arrangements are made in the case of Hindu prisoners too?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) Yes.

MR. KANNANTHODATH JANARDANAN NAIR: May I know the nature of the arrangements made?

MR. M. K. NILAKANTA AIYAR: Lectures are being delivered every Sunday.

Difficulties caused by the rejection of one anna coins and British copper coins.

2. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to state:

(*a*) whether the difficulties caused by the rejection of one anna nickel coins and British copper coins at the time of exchange in South Travancore have come to the notice of the Government; and

(*b*) if so, what measures were taken to remove the difficulties?

MR. M. GOVINDA PILLAI (*Financial Secretary to Government*):

(*a*) The answer is in the negative.

(*b*) In view of the answer to part (a) this does not arise.

Supply of stationery to offices.

3. ***MR. S. NARAYANA PILLAI** (*Quilon* cum *Kottarakara*): Will the Government be pleased to state whether the quantity of stationery supplied to offices is insufficient to meet their requirements?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*): Stationery articles are supplied to offices in such quantities as to meet their full requirements.

Selection of candidates for the intermediate division by the Public Service Commissioner.

4. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara* cum *Trivandrum*): Will the Government be pleased to state:

(*a*) the number of instances where the Public Service Commissioner held selective tests for the selection of candidates for particular appointments in the intermediate division but the candidates so selected have not been recruited at all; and

(*b*) the total amount of application fees levied from applicants for appointments referred to in part (a)?

DR. G. D. NOKES (*Public Service Commissioner*):

(*a*) (i) where none of the selected candidates was recruited.

1112	—	I	5
1112	—	II	6
1113	—	I	14
1113	—	I & II	11
1113	—	II	5
1114	—	I	15
1114	—	II	2
1115	—	I	15

(ii) where some of the selected candidates were not recruited.

1112	—	I	3
1112	—	II	1
1113	—	I	4
1113	—	I & II	0
1113	—	II	3
1114	—	I	3
1114	—	II	2
1115	—	I	4

(*b*) (i) where none of the selected candidates was recruited.

(A) Fees for selected candidates —— Rs. 428 (approx.)

(B) Fees for unselected including unqualified candidates Rs. 2544 (approx)

(ii) where some of the selected candidates were not recruited.

(A) Fees for selected candidates. Rs. 1618 (approx.)

(B) Fees for unselected including unqualified candidates Rs. 2194 (approx.)

The fees in many cases included the fee for other appointments for which a candidate was also an applicant.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: With reference to the answer to part (*a*) of the question, may I know what the figures in columns 2 and 3 refer to?

DR. G. D. NOKES: The figures in column 2 refer to the half year, and the figures in column 3 to the various types of appointment.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: May I know why after having been selected they were not appointed?

DR. G. D. NOKES: In some cases long service candidates may have been appointed in preference to them. In some cases the posts have been abolished. In other cases opportunities have not yet arisen for filling the estimated vacancies.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: May I know whether the candidates who applied were in any way responsible for their not being appointed?

DR. G. D. NOKES: No, they are not to blame.

MR. KANNANTHODATH JANARDANAN NAIR: May I know why after they were selected the candidates were not appointed?

DR. G. D. NOKES: The position is this. A certain number of vacancies is estimated. But the estimated vacancies may not occur. There is the possibility of a vacancy estimated in the first half of 1113 (say) not arising because the incumbent who is expected to take leave may not take leave for even a year. So the occurrence of a vacancy is postponed.

Examinations held by the Public Service Commissioner.

5. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to state:

(*a*) how many examinations the Public Service Commissioner has conducted for the selection of clerks on Rs. 20;

(*b*) when was the first examination conducted;

(*c*) how many candidates were selected as per the first selection;

(*d*) whether it was the idea to recruit these candidates within six months of the selection;

(e) whether all the selected candidates were actually appointed within the anticipated period of six months;

(f) if not, how many were recruited within that period;

(g) when was the 2nd examination conducted;

(h) how many candidates were selected as per the 2nd list; and

(i) how many candidates were outstanding in the first list of selected candidates?

DR. G. D. NOKES: (*Public Service Commissioner*): (a) Two.

(b) Chingom 1112.

(c) 510.

(d) No.

(e) All the selected candidates were not appointed in six months.

(f) 27 were advised for recruitment there being 98 vacancies filled by long service candidates.

(g) Kanni 1113.

(h) 348.

(i) The member is referred to page 48 of the Public Service Department Report for 1112 M. E.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: With reference to answer to part (e) may I know whether in the Gazette notification the candidates were told that the vacancies would occur within six months?

DR. G. D. NOKES: No. They were informed that the following vacancies are estimated for the coming half year but long service candidates may be recruited, in preference, and in any event the estimated vacancies may not occur either in the half year in question or at all.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: With reference to part (h) of the question may I know whether any candidate was selected on that understanding at the time the second selection was made?

DR. G. D. NOKES: Yes, Sir.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: In that case may I know what was the objection to holding a selection examination?

DR. G. D. NOKES: There was no need for a third examination. The position was that we had a large number of selected candidates at the end of 1112, and a number of selected candidates for 1113. So we have not made further selections. If the member wants to know the principal reason, I may tell him that, just after the second test was held, orders were passed enabling heads of departments to appoint in short vacancies not exceeding a month. The estimate included a large number of such short vacancies which were later excluded from the purview of the rules.

MR. PADIYARA JOSEPH KUNJU: സർ, ഒരു പായിൻറ് ഓഫ് ഓർഡർ. ഒരു ചോദ്യത്തിനു ഉത്തരം പറയുമ്പോൾ ഒരു ഉദ്യോഗസ്ഥസാമാജികനു് കേവലം ഉത്തരത്തിനു പകരം സുദീർഘമായി ഒരു പ്രസംഗത്തിനു അവകാശമുണ്ടോ?

PRESIDENT: Order, order. It is always a matter of some little controversy as to when an answer becomes a speech. But questions are sometimes put in the form of speeches and replies follow suit.

MR. KANNANTHODATH JANARDANAN NAIR: May I know on what principle the second selective test was held when a good number of candidates in the first test were not appointed?

DR. G. D. NOKES: Sir, I have already explained that by what is described as a long speech which was objected to by an honourable member.

MR. M. SIVATHANU PILLAI (*Thovala* cum *Agasteeswaram*): May I khow whether the member is prepared to assure the House that the second elective test was not held with the intention of getting money?

DR. G. D. NOKES: Whose intention? Personally I had no such intention.

MR. M. SIVATHANU PILLAI: I am asking not of Dr. Nokes' intention but I am asking whether Government had any idea of collecting money by way of fees by holding the second test.

PRESIDENT: Order, order. I do not think it is possible for Dr. Nokes, however capable he may be, to define the intentions of Government. The Chief Secretary may answer the question, whether it is the object of Government to hold these examinations for the purpose of making money.

MR. M. K. NILAKANTA AIYAR: No, Sir.

Appointments made without the advice of the Public Service Commissioner.

6. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether appointing authorities could make initial appointments in short-term vacancies without advice from the Public Service Commissioner; and

(*b*) whether such service will count for seniority in the matter of recruitment by the Public Service Commissioner?

DR. G. D. NOKES: (*a*) Yes.

(*b*) No, in the Higher and Intermediate Division.
Yes, in the Lower Division.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: With reference to answer to part (a) of the question may I know whether the Public Service Commissioner will kindly refer to any rule or Government order whereby short-term service will be considered in the matter of making appointments to the Public Service?

DR. G. D. NOKES: As far as I am aware, there is no specific rule or order on the subject.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether in regard to the lower division the service only before 25th June 1935 that a candidate has put in is not taken into account?

DR. G. D. NOKES: No, Sir. It applies to long service candidates.

MR. KANNAN THODATH JANARDANAN NAIR: Is it not the intention of the rule that the service that a candidate has put in must be considered when reckoning seniority?

DR. G. D. NOKES: The provision for the lower division is that within the community candidates are to be selected according to seniority

Supply of water by electricity in the Iyroor pakuthi.

7. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to state:

(*a*) whether they have received any application for supplying water by electricity in the Iyroor pakuthi in Parur taluk;

(*b*) if so, when; and

(*c*) whether the Electrical Department has decided to take up the work?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) In October 1939.

(*c*) The question will be taken up for consideration by the Department after studying the results of the experiments now being conducted by the Department in Kuthiathodu.

Budget allotment for the maintenance of Highways in 1114.

8. ***MR. M. R. NARAYANA PILLAI** (*Tiruvalla*): Will the Government be pleased to state;

(*a*) the total allotment in the budget for the year 1114 on account of maintenance of highways;

(*b*) whether the whole amount was utilised for the maintenance of highways; and

(*c*) if not, what was done with the balance?

MR. M. S. DORASWAMI AIYANGAR (*Ag. Chief Engineer*):

(*a*) Maintenance of roads Rs. 9,42,998.
Maintenance of traces Rs. 16,545.

(*b*) No.

(*c*) The unspent balance lapsed at the end of the year.

MR. M. R. NARAYANA PILLAI: May I know why the amount that was budgeted was not spent fully?

MR. M. S. DORASWAMI AIYANGAR: Practically the whole amount has been spent. There was a saving of Rs. 12,783 on the maintenance of roads and Rs. 1,211, due partly to tender deductions and partly unspent balance.

MR. M. R. NARAYANA PILLAI: May I know why an excess amount was budgeted?

MR. M. S. DORASWAMI AIYANGAR: The budget is based on existing sanctions. Some portions have been taken for maintenance. So there are savings in actual working.

MR. M. R. NARAYANA PILLAI : May I know whether there are no principles for budgetting ?

MR. M. S. DORASWAMI AIYANGAR : There are definite principles.

Bad condition of the main roads.

9. ✻ **MR. M. R. NARAYANA PILLAI** : Will the Government be pleased to state what steps are being taken to redress the complaint on the part of the road users in the State about the very bad condition of the main roads?

MR. M. S. DORASWAMI AIYANGAR : The main roads in the State are maintained in the best way possible out of the available maintenance grant and special repairs and improvements are also being carried out as circumstances require. The statement that the roads are in very bad condition is not correct.

MR. M. R. NARAYANA PILLAI : May I know whether the statement "that the roads are in very bad condition is not correct......" is a correct one.

MR. M. S. DORASWAMI AIYANGAR : The roads are maintained in as best a manner as possible and consistent with the grant available for the maintenance.

MR. M. R. NARAYANA PILLAI : My question is, how can the honourable member say that the statement referred to by him is correct,

MR. M. S. DORASWAMI AIYANGAR : That is the opinion based on my personal inspection.

MR, K. P. KOCHUKORA THARAKAN : പി. ഡബ്ലിയൂ. ഡിപ്പാർട്ടുമെൻറു് ഉദ്യോഗസ്ഥന്മാരുംമററും മെയിൻറോഡിൽക്കൂടി സഞ്ചാരം നടത്താതെ മററു റോഡുകളിൽക്കൂടിയാണു് സഞ്ചരിക്കുന്നതെന്നുള്ള വിവരം മെമ്പർക്കറിയാമോ?

MR. M. S DORASWAMY AIYANGAR : I am not aware.

Gravelling the Eravankara ryots' road.

10. ✻**MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*) : Will the Government be pleased to state :

(*a*) whether they have received any representations from the people for gravelling the Eravankara ryots' road, beginning from the 2nd mile stone of the Mavelikara-Pandalam road and meeting the Cherukunnam-Velliyar village road ; and

(*b*) if so, what action was taken on them ?

MR. M. S. DORASWAMI AIYANGAR : (*a*) Yes.

(*b*) Steps are being taken to declare the land as poramboke, after which the road will be taken under departmental maintenance and necessary provision for gravelling etc., made.

Applications for recruitment to Public Service.

11. ***MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad cum Parur*): Will the Government be pleased to state:

(*a*) whether, in the application for recruitment to public service, there is provision for the caste and the section of the caste to which the applicant belongs being shown separately; and

(*b*) if so, whether such application should be accompanied by any certificate attesting the statement of the applicant?

DR. G. D. NOKES: (*a*) The prescribed application forms (Nos. 9 and 10 for candidates for the Intermediate and Lower Divisions) contain in item 10 the words "Community and sub-division (if any)" with space for the candidate to fill in the requisite particulars (see pages 150 and 155 of the Travancore Service Recruitment Manual). In the instructions to applicants in the Intermediate Division, which form part of the forms, a candidate who is a member of a backward part of a community is directed to state his sub-division of that community (ibid. page 152). In the instructions to applicants in the Lower Division, a candidate who is a member of a community which comprises various sub-divisions is directed to state first the recognised community and then the sub-division (ibid, page 158).

(*b*) No. [See rule 47 of the Public Service Recruitment Rules; (ibid. page 40).]

MR. K. P. KOCHUKORA THARAKAN: On a point of order, Sir. ഞങ്ങൾക്ക് സപ്ലൈ ചെയ്യാത്ത ബുക്സുകളെ റഫറൻസിനുവേണ്ടി കോട്ടു ചെയ്യുന്നതു ശരിയാണോ?

DR. G. D. NOKES: I understad the volume is available in the Legislative Library.

MR. KOTTALIL P. ABRAHAM: With regard to part (*b*) of the answer, is there any safeguard to look to the interests of the applicants from the backward part of a community?

DR. G. D. NOKES: There are safe-guards.

MR. KOTTALIL P. ABRAHAM: Who is the officer that is empowered to exercise that safeguard?

DR. G. D. NOKES: The Public Service Commissioner.

Appointments made by the Public Service Commissioner from among "the other Hindus."

12. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of those who have been appointed till now from among "other Hindus" to the higher, intermediate and lower divisions of the public service, by the Public Service Commissioner?

DR. G. D. NOKES : No separate statistics are maintained for the sub-communities forming the community recognised as "Other Hindu". The number of candidates from the Other Hindu community who have been advised for recruitment by the Public Service Commissioner is shown Below :—

Higher Division	1
Intermediate Division	116
Lower Division	366
Total	483

MR. T. T. KESAVAN SASTRI (*Nominated*) **:** വിദ്യാഭ്യാസയോഗ്യതയോ പ്രാതിനിധ്യക്കുറവിനേയോ പരിഗണിച്ച് ഈ വിഭാഗക്കാൎക്ക് ഉദ്യോഗനിയമനവിഷയത്തിൽ വല്ല മുൻഗണനയും നൽകിയിട്ടുണ്ടോ എന്നു ദയവായി പറയാമോ?

DR. G. D. NOKES : That is con'ained in the Public Service Recruitment Rules.

Minority Communities unde· "Other Hindus."

13\. ✱ **MR. KAVIYOOR K. K. KOCHUKUNJU :** Will the Government be pleased to lay on the table a statement showing the names of the minority communities included under the division "Ot er Hindus" and their total number?

DR. G. D. NOKES : *A statement is laid on the table.

Construction of the Arattukadavu Bridge.

14\. ✱**MR. P. NARAYANA PILLAI**. Will the Government be pleased to state:

(*a*) whether any estimate has been prepared for the construction of the Arattukadavu bridge over Kollakadavu river on the Mavelikara-Tiruvalla road; and

(*b*) whether any work has been done in connection with this bridge?

MR. M. S. DORASWAMI AIYANGAR :

(*a*) Yes.

(*b*) No work to the bridge proper has been done but the necessary lands required for the formation of the approaches have been acquired.

MR. P. NARAYANA PILLAI : May I know the amount estimated for the bridge?

MR. M. S. DORASWAMI AIYANGAR : The first estimate was nearly Rs. 56,000.

MR. P. NARAYANA PILLAI : May I know, when was the estimate prepared?

MR. M. S. DORASWAMI AIYANGAR : In 1104.

---

* *Vide* Appendix I. Page 4.

MR. P. NARAYANA PILLAI: May I know whether any amount has been spent till this time on the bridge?

MR. M. S. DORASWAMI AIYANGAR: It has been answered in part (*b*) of the question.

MR. P. NARAYANA PILLAI: May I know when this bridge will be completed?

MR. M. S. DORASWAMI AIYANGAR: As soon as funds become available the work in connection with the bridge would be proceeded with.

Cross road from Kayamkulam town to the backwaters.

15. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether they have received any representations from the people of Kartikapalli taluk requesting to take up the work of the cross road from Kayamkulam town to the backwaters *via* Pullukulangara as a war relief measure;

(*b*) the length of this road;

(*c*) whether any provision was made in the budget during the previous years for the construction of this road;

(*d*) if so, the amount sanctioned during each of those years;

(*e*) whether any amount was spent towards the construction of this road; and

(*f*) if not, the reason for not doing so?

MR. M. S. DORASWAMI AIYANGAR:

(*a*) Yes.

(*b*) 3 miles.

(*c*) No.

(*d*) to (*f*) Do not arise in view of answer to part (c).

MR. P. NARAYANA PILLAI: Is the member aware that about two miles portion of this road form part of the Kayancolam—Kartikapalli road?

MR. M. S. DORASWAMI AIYANGAR: I thank the member for the information.

MR. P. NARAYANA PILLAI: May I know in answer to part (*a*) whether any action has been taken on the matter?

MR. M. S. DORASWAMI AIYANGAR: The matter is receiving consideration.

District Court at Mavelikara.

16. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state whether they have made any decision in the matter of the establishment of a District Court at Mavelikara?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): The question is receiving the attention of Government.

MR. P. NARAYANA PILLAI: May I know whether the High Court have made a recommendation in this connection?

MR. PUTHUPALLI S. KRISHNA PILLAI: That is a confidential communication the nature of which cannot be disclosed now.

MR. P. NARAYANA PILLAI: May I know the approximate time within which a decision will be arrived at on the matter?

PRESIDENT: Not very long.

MR. M. SIVATHANU PILLAI: In view of the fact that we do not want to know the nature of the report may I know whether there was any report made by the High Court on the matter?

MR. PUTHUPALLI S. KRISHNA PILLAI: Reports from the departmental heads to Government are usually of a confidential character and are declared as such. Under such circumstances the particular report in question cannot be disclosed at this stage.

PRESIDENT: What the member wants to know is whether it is a fact that the High Court have made some report however confidential it may be.

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes, Sir.

MR. P. NARAYANA PILLAI: May I know whether a decision will be taken on that point this year?

MR PUTHUPALLI S. KRISHNA PILLAI: It cannot be said definitely just at present.

Munsiff's Court at Mavelikara.

17. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether they have decided to shift the Munsiff's Court at Mavelikara to any of the Government buildings at that place; and

(*b*) if so, the place selected for that purpose?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*a*) The answer is in the negative.

(*b*) In view of answer to (a), this does not arise.

Rejection of one anna nickel coins and British copper coins.

18. ***MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state:

(*a*) why the Customs Officers are rejecting one anna nickel coins and British copper coins when duties are paid by persons;

(*b*) whether any order was sent by the Government to reject the same; and

(*c*) if so, when?

MR. M. GOVINDA PILLAI: (*a*) British one anna nickel coins and copper coins are not current legal tender in the State.

(*b*) and (*c*) In view of answer to part (a), these do not arise.

Applicants for recruitment to Public Service.

19. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

[Mr. K. P. Kochukora Tharakan.]

(a) whether applicants for recruitment to Public Service have sent applications giving the name of less represented communities instead of that of the community to which they really belong; and

(b) whether any one now in service has entered the service falsely representing himself as belonging to a community to which he does not really belong?

DR. G. D. NOKES: (a) and (b) No such case has been established.

MR. K. NARAYANAPERUMAL NADAR (*Tovala* cum *Agastiswaram*): May I know whether it is a fact that it has been brought to the notice of Government by Nadars on 25th Kanni 1113 that Rule 47 which deals with proof of the community has been infringed by Christian Nadars to get appointments in the name of Hindus?

DR G. D. NOKES: A complaint of that character was brought to my notice about the time mentioned.

MR. M. SIVATHANU PILLAI: May I know what action has been taken on that point?

DR. G. D. NOKES: An investigation was made and the complaint was found to be un-substantiated.

Jacobite Community and Public Service.

20. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state whether it was because members of Christian communities other than Jacobite Syrians had in their applications for appointments falsely stated that they belonged to the Jacobite Syrian community that Government had on one or two occasions named the Jacobite Syrian Community as one of the 'monopoly communities' in the Public Service?

DR. G. D. NOKES: No information is available of non-Jacobite Christians falsely stating they belong to the Jacobite community. So far as they are aware, Government have not on any occasion named the Jacobite Syrian Community as "one of the monopoly communities in the Public Service". The Jacobite community is included in Schedule IV of the Public Service Recruitment Rules, for the reason stated in paragraph 13 of the General order on Public Service Recruitment (Travancore Service Recruitment Manual, page 8) namely, that it already has its due share or more of appointments in the superior service.

Representation in Public Service.

21 ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state whether it has been brought to their notice that just as certain communities have to suffer inequalities consequent on their not getting adequate representation in Public Service in Travancore, several places too have come under that category because of not being well represented in Public Service?

DR. G. D. NOKES: If the phrase 'several places' refers to territorial localities in Travancore, Government are aware that some localities (particularly those with sparse or no population) are less well represented than others.

Improvement of the Koduman-Chandanappally road.

22. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(a) whether they have received any representations for the improvement of the Koduman-Chandanappally road in Koduman pakuthi, Kunnattur taluk:

(b) if so, what action was taken on it;

(c) whether any estimate has been prepared for the same; and

(d) if so, the amount estimated?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) and (c) Estimate for improvements to the road has been prepared.

(d) Rs. 14,000.

Pay of the Sirkar Vakil in the Nagercoil Sessions Court.

23 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state why Mr. Sankarakumar B. A., B. L., the Sirkar Vakil in the Nagercoil Sessions Court is given a lower pay than the pay of the other Sirkar Vakils in other Sessions Courts?

MR. PUTHUPALLY S. KRISHNA PILLAI: Mr. Sankarakumar, Government Pleader, Nagercoil, is now drawing the same pay as that of the Government Pleaders at other stations (*vide* page 93 of the Civil List corrected up to 1-4-1115).

Construction of a granite wall and a bathing ghat at Krishnanputhoor Kal.

24 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether one Mr. A. Narayanaperumal Nadar and others of Palkinathan Villa of Dharmapuram pakuthi, Agastisvaram taluk, sent a petition to the Government on 29-3-1115 for the construction of a granite wall and a bathing ghat in Krishnanputhoor Kal; and

(b) the action taken thereon?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) The construction of the retaining wall will be taken up shortly and the question of the construction of the bathing ghat will be taken up when funds become available.

Appointments to short vacancies.

25. ***MR. VARKALA K. MADHAVAN** (*Chirayinkil cum Nedumangad*): Will the Goernment be pleased to state the principles followed by appointing authorities in makingappointments to short vacancies without reference to the Public Service Commissioner?

DR. G. D. NOKES : By the relevant Government orders, appointing authorities are required to observe the Public Service Recruitment Rules as to nationality, sex, age, character-qualification and health.

MR. K. NARAYANAPERUMAL NADAR : May I know whether the Government order R. O. C. No. 3487/General dated 27th August 1937 makes mention of the principle to be followed by the appointing authorities in making appointments for short-term periods ?

DR. G. D. NOKES : The principles referred to are re-stated in the answer given.

Appendix I.

Vide Answer to Question No. 13 [80.]

Statement showing the names of the minority communities included under the division 'Other Hindus' and their total number.

(*a*) All the sub-communities, which include members of the Hindu religion, set out on pages 124 and 125 of the Travancore Service Recruitment Manual.

(*b*)

Adi-Dravida	Mannan
Alavan	Medara
Ampattan	Muthaliyar
Arya Samajist	Mukkuvan
Bavuri	Muthuvan
Bharathar	Nayadi
Brahmo	Nayudu
Chackaravar	Nulayan
Chakkiliyan	Paliyan
Chavalakkaran	Panan
Chayakkaran	Panikkan
Ilavaniyan	Pulluvan
Ilavathi	Reddi
Kaikolan	Saurashtra
Kakkalan	Thantapulayan
Kathikkaran	Thontaman
Kavathi	Ullatan
Keralamuthali	Varnavar
Malankudi	Vettakkaran
Malapantaram	Vettuvan
Malapulayan	

(*c*) Sub-communities described as minor castes and unspecified in table XVII of Vol. XXVIII (Travancore) of the Report of the Census of India, 1931. The approximate total number is 70.

MESSAGES.

The Secretary to the Assembly read the following message:

"Under rule 47 of the Travancore Legislative Rules, I am directed to inform you that the amendments made by the Sri Mulam Assembly to the Travancore Krishnanvaka Marumakathayee Bill, at the meeting of the Assembly held on the 4th August 1939 have been agreed to by the Sri Chitra State Council at its meeting held on the 12th August 1939."

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

SECRETARY:

"I beg to report that the following bills received the assent of His Highness the Maharaja:

1. The Travancore Hindu Inheritance (Removal of Disabilities) Bill.
2. The Travancore Insurance Bill.
3. The Travancore Telephone Bill.
4. The Travancore Krishnanvaka Marumakkathayee Bill.
5. The Travancore Negotiable Instruments Act (Amendment) Bill.
6. The Travancore Contract Bill.
7. The Travancore Arbitration Bill.
8. The Travancore Partnership Bill.
9. The Travancore Specific Relief Bill.
10. The Travancore Sale of Goods Bill.

STATEMENT LAID ON THE TABLE.

MR. M. GOVINDA PILLAI: Sir Under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act II of 1108.

Demand.	Amount in Rupees.	Particulars.
	IN THE BUDGET FOR 1114	
III. Public Health and Sanitation	14,900	For Plague preventive work.
do.	15,000	do.
do.	3,000	For Malaria relief measures in South Travancore.

Demand.	Amount Rupees	Particulars.
VIII. Administration of Justice.	1,000	For the continuance of the Special Magistrate's Court at Kottarakara.
XV. Police.	1,147	To meet the additional expenditure under 18—Inspector-General of Police—Travelling allowances.
XXIX. Stationery and Printing.	2,000	To meet the additional expenditure under permanent piece work establishment in the budget of the Government Press.
	IN THE BUDGET FOR 1115.	
I. Land Revenue	4,730	To meet the expenditure under Land Acquisition charges.
XI. Public Works Department including Water Works and Drainage.	82,000	For works to relieve unemployment due to closing down of factories at Alleppey and Quilon.
XX. Forest.	34,000	To meet the expenditure on acccount of the purchase of chemical, timber-slicing machine etc., for the Development Department.
XXVIII. Scientific and Miscellaneous Departments	25,446-12-0	For the purchase of 8 Roerich paintings for the Sri Chitralayam.
XXIX. Miscellaneous charges.	270	For the payment of allowances to the Punja Loan Officer and staff.
XXXII. Loans-Agricultural Loans.	50,000	For the grant of special Punja Loans for the ryots of Kuttanad.
XIII. Police.	17,000	For the continuance of the Special Police Force for 3 months from 1-5-1115.

PANEL OF CHAIRMEN.

PRESIDENT: Under Rule 3 (2) of the Travancore Legislative Rules I nominate Messrs. E. Subramonia Aiyar and Mr. N. V. Joseph to the Panel of Chairmen for this Session of the Assembly.

PRESIDENT: As there are certain motions which concern me I would call upon the Deputy President to take the Chair.

MR. KANNANTHODATH JANARDANAN NAIR: Sir, I wish to submit one point, before the President vacates the Chair. According to Standing Orders, the first hour of every day is allotted for answering interpellations. Within half an hour's time some 25 questions have been disposed of. As we have sent up a good number of questions it would be convenient if more questions are answered every day. Thus all the questions sent up from this side of the House could be disposed of. At the present rate only 125 questions can be finished by the end of this Session and some 300 will remain unanswered. I submit that this point should be duly considered by the President.

PRESIDENT: I understand that the office has received about 60 answers. I will investigate the matter and shall expedite the replies so that some more number of replies are made available to the honourable members of the House.

(At this stage Mr S. Chattanatha Karayalar, Deputy President, occupied the Chair.)

MR K. NARAYANAPERUMAL NADAR: I had presented an adjournment notion and now I find no mention has been made about it for the day. After question time generally the adjournment motion ought to have received the consideration of the House. I would like to know what has happened to it.

DEPUTY PRESIDENT: A point of order has been raised that the adjournment motion should be taken up immediately after the question time. According to Standing Order 14 it is seen that the leave to make a motion for the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon. The member ought to have been vigilant in making his motion after the question time. As the next item has now been entered upon he could not raise this matter and therefore the point raised by him is out of order at this stage.

MR. PADIYARA JOSEPH KUNJU: സർ, ഇതുവരെ ഉണ്ടായിരുന്ന നടപ്പ് അനുസരിച്ച് നിശ്ചിതസമയത്തിനു മുമ്പുതന്നെ ഞാൻ എന്റെ അടിയന്തിരപ്രമേയം അസംബ്ലി സിക്രട്ടറിയെ ഏല്പിച്ചിട്ടുണ്ട്.

DEPUTY PRESIDENT: The same remarks would apply to the point raised by the honourable member.

MR. N. RAMAKRISHNA PILLAI: Sir,—

MR. K. NARAYANAPERUMAL NADAR: I think it is the Secretary's fault.

DEPUTY PRESIDENT: Has the Financial Secretary laid his statement on the table?

MR. M. GOVINDA PILLAI : Yes, Sir.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : After the copies of the adjournment motions are placed in time on the Secretary's table consistent with the rules, is it necessary on the part of the honourable members who have presented such motions to inform the Chair that before entering on the next item of the business that the adjournment motions should be taken up?

DEPUTY PRESIDENT : The honourable member has to ask for the leave of the House in regard to his adjournment motion after question time.

MR. PULIYOOR T. P. VELAYUDAN PILLAI : Then my submission is when the member intending to move such a motion has already forwarded his motion to the Secretary as per the provisions of the Statute is it obligatory on his part again to remind the Chair?

DEPUTY PRESIDENT : The provisions of the Standing Orders are very clear and unambiguous. Mr. Ramakrishna Pillai will now proceed.

MR. N. RAMAKRISHNA PILLAI : Sir, I beg to move the following motion:—"This Assembly respectfully tenders its felicitations to Sachivottama Sir C. P. Ramaswami Aiyar, LL. D., the President of the Assembly on the celebration of his Sashtiabdapurthi and wishes him long life, happiness and prosperity."

After the recent grand celebrations throughout the country in which the members of this House and those whom they have privilege to represent have all taken a very active and enthusiatic part it becomes but a formal matter for this House which meets for the first time after this auspicious event to respectfully tender its felicitations to its distinguished President on the celebration of his Sashtiabdapurthi. This House is indeed justly proud of having as its President such an illustrious statesman as Sir C. P. Ramaswami Aiyar, and we the members of this Assembly feel that honours done to him redound also to the glory of this House. To those like myself who had occasion to go out and see things for themselves it was truly a pleasure to see that there was such a manifestation of a peoples affection, respect and admiration for the person of the Dewan in all parts of the State, in every nook and corner of it and in its remotest villages. Grand as were the entertainments in the capital these formed but a small item when compared to the celebrations got up in honour of the event by the humbler sections of the public in other parts of the State. These spontaneous and country-wide demonstrations of regard and affection for their Dewan must have been a marvel to those who were not conversant with true conditions in Travancore. But to those who know the country and its people these were but the mere expressions of gratitude from a discerning public for what the Dewan had done and was expected to do for their country.

It required extraordinary courage and determination on the part of the Dewan to resist the clamorous, mischievous and organised attempts to vilify and obstruct the administration and to thwart the schemes of reform initiated by him even though the vast majority of the people continued to be unperturbed by the tumult. No obstacles would daunt or deter him from the execution of his duties whether the obstacles arose in carrying out the Pallivasal or the Pychara scheme or any other measure public utility that had been taken up. It would have been possible for no other Dewan to successfully stem the tide and to re-establish peace and contentment in the State which have so unexpectedly been disturbed for a time and to take up and continue the vast schemes of reform chalked out by him for the progress and development of the country. I do not want to advert to the various beneficent reforms undertaken by the Dewan—measures calculated to relieve unemployment, to tap the resources of the country and to enrich her people; but it will suffice to say that achievement of any one of these important reforms would have been enough to take the name of any minister illustrious in the history of this State. And our wonder is heightened by the fact that these reforms are carried out without any apparent effort, without notice and bustle and as if all these are mere routine matters of administration. We are really astonished at the rare combination of youthful and vigorous energy with vast and varied administrative experience directed towards a supreme object in view, namely, the prosperity of the State. The people of Travancore have realised how intense is the desire of the Dewan and how easy it is for him to achieve this object, and in the great task he has set before him, he can assuredly count upon their warm co-operation and whole-hearted support. It is our duty to express our humble feelings of gratitude to His Highness the Maharaja for making services of such an eminent statesman available for the good of the country. We confidently hope and pray that his great services may redound to the prosperity of Travancore and to the glory of His Highness Sri Chitra Thirunal Maharaja.

With these words I move this motion for the acceptance of the House.

MR. M. L. JANARDANAN PILLAI: I have very great pleasure in seconding the motion moved by the honourable member Mr. Ramakrishna Pillai. A long speech is not needed to support the observations made by the honourable member. I would take this opportunity to express the appreciation the country has, particularly in regard to the industrial and commercial policy that has been followed in the State during the last few years. After the outbreak of the war, Travancore was confronted with a very difficult situation and with the memories the country had of the last Great War, it was a great relief to find that the Dewan rose equal to the occasion and did everything that was possible and that was needed to safeguard the commercial and industrial interests of the State. The public may not be in possession of all relevant facts to realise the magnitude of this task. By the middle of November, shipping in Travancore reached such a critical stage that it

[Mr. M. L. Janardanan Pillay.]

required more than the ordinary abilities of any man to tackle the situation with which Travancore was confronted. Cargo worth several lakhs had to be stored in the godowns of Travancore and nobody was in a position to assure that shipping facilities would be available. It was only the great capacity of the Dewan of Travancore that made it possible to secure the maximum tonnage possible to ship all the export cargo that was awaiting shipment from Travancore. The result was that we were able to ship all the cargo that was ready at that time and imports were also facilitated to a very large extent.

Not only that. People in Travancore would very well remember the dire experience that they had during the last war when food materials were difficult to be obtained and the prices soared very very high. All these difficulties were got over and the whole question was tackled by Sir C. P. Ramaswamy Ayar in a wonderful manner and the result is that the people of the State have been assured of a very satisfactory economic gain. This is only one aspect of the question about which I wanted to dwell upon.

The schemes with regard to the commercial and industrial prosperity of the State and its proper application to the University and the various other reforms referred to by Mr. RamakrishnaPillai, are sufficient to earn the gratitude of the people of this State at present and for several years to come. It is only in the fitness of things that this House pay its tribute to the great qualities of Sachivottama Sir C. P. Ramaswamy Aiyar, the President of this Assembly. With these words I have very great pleasure in seconding the resolution.

MR. T. C. KESAVA PILLAI: I beg your permission to speak in Malayalam.

DEPUTY PRESIDENT: Yes, you may do it.

MR. T. C. KESAVA PILLAI: തിരുവിതാംകൂർ ചരിത്രത്തിൽ പ്രസിദ്ധി നേടിയിട്ടുള്ള പല മഹാരാജാക്കന്മാരും ഉണ്ടായിരുന്നു എങ്കിലും അവരിൽ എല്ലാം അഗ്രഗണ്യസ്ഥാനം വഹിക്കുന്ന ശ്രീചിത്തിരതിരുനാൾ മഹാരാജാവു തിരുമനസിലെ ഭരണകാലത്തു ഈ രാജ്യത്തെ ശരിയായ വിധത്തിൽ നിയന്ത്രിച്ചുകൊണ്ടു പോകുന്നതിനു തക്ക ഒരു മന്ത്രിസത്തമനെ ലഭിച്ചതു നമ്മുടെ ഭാഗ്യം കൊണ്ടാണ്. സചിവോത്തമൻ സർ. സി. പി. രാമസ്വാമിഅയ്യർ ഇവിടത്തെ മന്ത്രിസ്ഥാനം കയ്യേററതിനു ശേഷം വലിയ കാര്യങ്ങളൊന്നും തന്നെ അദ്ദേഹം ഇവിടെ ചെയ്തിട്ടില്ലെന്നു ചിലർ വിചാരിക്കുമായിരിക്കാം. എന്നാൽ അദ്ദേഹം ഇവിടെ ചെയ്തിട്ടുള്ള കാര്യങ്ങൾ കാഴ്ചയിൽ ചെറുതായി കാണുന്നു എങ്കിലും തിരുവിതാംകൂറിലെ ഭാവി സന്താനങ്ങൾ അവയെ ഏററവും വലുതായിത്തന്നെ സ്മരിക്കുന്നതാണ്. ബ്രിട്ടീഷ് എമ്പയറിലും ബ്രിട്ടീഷിൻഡ്യയി

ലും അദ്ദേഹം പലതും പ്രവൎത്തിച്ചിട്ടുണ്ട്. അതുപോലെ തിരുവിതാംകൂറിൽ എന്തെല്ലാം പ്രവൎത്തിച്ചിട്ടുണ്ടെന്നുള്ളതിനു ഈ അസംബ്ളി ഹാളിന്റെ മുൻവശത്തു സ്ഥാപിച്ചിരിക്കുന്ന അദ്ദേഹത്തിന്റെ സ്റ്റാറ്റ്യു തന്നെ സാക്ഷ്യം വഹിക്കുന്നതാണ്. അതു കൂടാതെ ഇനിയും പലപല കാൎയ്യങ്ങളും നടത്താൻ ഉദ്ദേശിച്ചിട്ടുണ്ടെന്നു അദ്ദേഹത്തിന്റെ പരിപാടികൊണ്ടു കാണാവുന്നതാണ്. ക്ഷേത്രപ്രവേശനവിളംബരത്തിന്റെ അത്യാവശ്യകതയേയും ആദർശത്തേയും പററി നമ്മുടെ മഹാരാജാവു തിരുമനസ്സിനെ ഉപദേശിച്ച ലോകഗുരു എന്ന നില അക്ഷരംപ്രതി സമൎത്ഥിച്ച നടപ്പിൽ വരുത്തിയ സംഗതി നാം എന്നെന്നേയ്ക്കും ഓർമ്മിക്കേണ്ടു ഒരു സംഗതിയാണ്. ഈ സംഗതി കാഴ്ചയിൽ ഒരു ചെറിയ കാൎയ്യമായി തോന്നുന്നു എങ്കിലും മഹാരാജാവു തിരുമനസ്സു കൊണ്ടു ലോകഗുരുവാണെന്നും സർവഹിന്ദുക്കളുടേയും ഗുരുവാണെന്നുമുള്ള മഹത്തായ സംഗതികളാണ് അതിൽ അന്തർഭവിച്ചിരിക്കുന്നതു്. ജാതിവ്യത്യാസം എന്നുള്ളതു ക്രിസ്ത്യാനികളുടെ പള്ളികളിൽക്കൂടി കാണുന്നുണ്ടു്. വെള്ളാള ക്രിസ്ത്യാനി, പുലയക്രിസ്ത്യാനി, നായർ ക്രിസ്ത്യാനി, ബ്രാഹ്മണ ക്രിസ്ത്യാനി എന്നിങ്ങനെ പലവിധത്തിൽ കാണുന്നുണ്ടു്. അങ്ങിനെയുള്ള ജാതിവ്യത്യാസമേ പാടില്ലാ എന്നു നിശ്ചയിച്ച ലോകഗുരുവാണ് നമ്മുടെ മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു്. തിരുമനസ്സിലെ ഭരണത്തെ ശോഭായമാനമാക്കി ആദർശരൂപത്തിൽ കൊണ്ടുവന്നതു് മഹാനുഭാവനായ സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ ഭരണപാടവം കൊണ്ടാണ്. അദ്ദേഹത്തിന്റെ ഷഷ്ട്യബ്ദപൂൎത്തി ദിനം ഇവിടെ വച്ചു കൊണ്ടാടുന്നതിനും സാധിച്ചിട്ടുള്ളതു് നമ്മുടെ ഭാഗ്യം കൊണ്ടാണ്. ഇതിനെ സംബന്ധിച്ചുള്ള ഒരു പ്രമേയം അസംബ്ളിയിൽ വന്നപ്പോൾ അതു മുഖസ്തുതിയാണ്, അതുകൊണ്ടു അതു സ്വീകരിക്കാൻ പാടില്ല എന്നാണ് അദ്ദേഹം നിശ്ചയിച്ചിരുന്നതു്. എന്നാൽ വാസ്തവത്തിൽ ഇതൊന്നും തന്നെ മുഖസ്തുതിയല്ല. തിരുവിതാംകൂറിന്റെ ഇന്നത്തെ നിലക്കു അദ്ദേഹം ഇവിടെ ചെയ്തിട്ടുള്ളതും ചെയ്തുകൊണ്ടിരിക്കുന്നതും ചെയ്യാൻ പോകുന്നതുമായ കാൎയ്യങ്ങളെ രേഖപ്പെടുത്തേണ്ടതു തിരുവിതാംകൂറിലെ ഏതൊരു രാജഭക്തനും അത്യന്താപേക്ഷിതമായിട്ടുള്ള ഒരു സംഗതിയാണ്. തിരുവിതാംകൂറിനെപ്പററി വിദേശങ്ങളിൽ പ്രചാരത്തിലും പ്രചരണവേല നടത്തിയിട്ടുള്ളതുകൊണ്ടു ഇവിടത്തെ വൈശിഷ്ട്യത്തെക്കുറിച്ചു പല തെററിദ്ധാരണകളും ഉണ്ടായിട്ടുണ്ടു്. അതു ശരിയല്ലെന്നുള്ളതു ശ്രീമാൻ രാമകൃഷ്ണപിള്ളയുടെ പ്രമേയം തന്നെ സാക്ഷ്യം വഹി

[Mr. T. C. Kesava Pillai]

കുന്നുണ്ട്. യഥാർത്ഥത്തിലുള്ള ഭരണപാടവത്തോടുകൂടി നമുക്കു അത്യന്താപേക്ഷിതമായ പല സംഗതികൾക്കും മുൻഗണന നൽകി തിരുവിതാംകൂറിന്റെ ഭരണത്തെ ശരിയാക്കിക്കൊണ്ടുവരുന്നതിനു ഹൃദയപൂർവ്വം പരിശ്രമിച്ചുകൊണ്ടിരിക്കുന്ന അദ്ദേഹത്തെ ഈ അവസരത്തിൽ അനുമോദിക്കേണ്ടതു നമ്മുടെ കർത്തവ്യമാണ്.

മാർത്താണ്ഡവർമ്മ മഹാരാജാവിന്റെ കാലത്തു തിരുവിതാംകൂറിൽ രാജദ്രോഹികളായി അനേകം പേരുണ്ടായിരുന്നു എന്നുള്ളതു സങ്കല്പം മാത്രമാണെങ്കിലും തിരുവിതാംകൂറിലെ പലഭാഗങ്ങളേയും ഏകോപിച്ചു ഒരു മഹാരാജാവിന്റെ കീഴിൽ ആക്കിയതു നിമിത്തം ഈ രാജ്യത്തിനു പലവിധ നന്മകളും ഉണ്ടായിട്ടുണ്ട്. അതിനെ തുടർന്നു തിരുവിതാംകൂറിലെ പല സംഘടനകളേയും സ്ഥാപനങ്ങളേയും ഏകോപിപ്പിച്ചു പ്രവർത്തിച്ചാൽ മാത്രമേ രാജ്യത്തിനു അഭിവൃദ്ധിയും ജനങ്ങൾക്കു ക്ഷേമവും ഉണ്ടാവുകയുള്ളു എന്നുള്ള ആദർശത്തെ മുൻനിറുത്തി പ്രവർത്തിച്ചിട്ടുള്ളതു ശ്രീചിത്തിരതിരുനാൾ മഹാരാജാവു തിരുമനസ്സുകൊണ്ടാണ്.

തിരുവിതാംകൂറിന്റെ ഏതു ഭാഗത്തും എന്തു അക്രമം നടന്നാലും അതു ഉടനടി അറിയുന്നതിനു ഇന്നത്തെ ടെലിഫോൺ ഏർപ്പാടുകൊണ്ടു സാധിക്കുന്നതാണ്. അതുപോലെ ഉടനടി നിവൃത്തിവരുത്തുന്നതിനു വേണ്ടതു പ്രവർത്തിക്കാൻ ട്രാൻസ്പോർട്ടു പദ്ധതി വളരെ ഉപകരിക്കുന്നതാണ്. ഇങ്ങിനെ തിരുവിതാംകൂറിന്റെ ഏതു ഭാഗത്തു എന്തു സംഗതി നടന്നാലും ഈ ഹജൂരാഫീസിൽ ഇരുന്നുകൊണ്ടു അതിന്റെ സകല വിവരവും അറിയാൻ സാധിക്കുന്നതാണ്. മേലും തിരുവിതാംകൂറിന്റെ നന്മക്കു വേണ്ടി പലതും പ്രവർത്തിക്കുന്നതിനും മഹാരാജാവു തിരുമനസ്സിലെ ഭരണത്തെ പ്രശംസാർഹമാക്കുന്നതിനും ഹൃദയപൂർവ്വം പ്രയത്നിക്കുന്ന സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമി അയ്യർ അവർകളെ അനുമോദിക്കുന്ന ഈ പ്രമേയത്തെ ഞാൻ പൂർണ്ണമായി പിൻതുണക്കുന്നു. അദ്ദേഹം യഥാർത്ഥത്തിൽ ഒരു ധീരപുരുഷനാണെന്നും ഭരണതന്ത്രജ്ഞനാണെന്നും ഉള്ള സംഗതി അദ്ദേഹത്തിന്റെ പരമശത്രുക്കളും [illegible] സ്റ്റേറ്റ് കാൺഗ്രസ്സ് നേതാക്കന്മാർ തന്നെയും സമ്മതിക്കുമെന്നുള്ളതിനു സംശയമില്ല. തിരുവിതാംകൂർ ഉള്ള കാലം വരെ അദ്ദേഹത്തിന്റെ നാമധേയം അനുസ്മരിക്കുക തന്നെ ചെയ്യുന്നതാണ്.

SRIMATI T. NARAYANI AMMA (*Nominated*): I have very great pleasure in supporting the motion. Sashtiabdapurthi is a happy and auspicious occasion in the life of any person and much more so in the

life of a distinguished personage like Sachivottama Sir C. P. Ramaswami Aiyar, whose life has been one of glorious achievements. Indeed there is none who can look back to his past career with greater satisfaction and to his future life with greater hope than the distinguished Dewan of Travancore is in a position to do. In Travancore he has given a new life and impetus to every department of administration and has introduced new schemes of far reaching importance. Progress is writ large in every phase of activities and we are indeed witnessing the dawn of a new era of greater progress, greater prosperity and greater glory for Travancore. The Sashtiabdapurthi of a Dewan who has rendered such signal service to Travancore and whose administration bids fair to produce even more glorious results in the future is undoubtedly an event of national importance for Travancore. It is only in the fitness of things that following the demonstration of popular joy and enthusiasm witnessed in several parts of the State, in connection with that happy function we the members of this Body should also offer our hearty felicitations, tribute of praise and good wishes to him. Let the Almighty shower his choicest blessings on our President. With these words I support the motion.

MR. M. RAMIAH PILLAI: I have great pleasure in supporting the resolution moved by Mr. Ramakrishna Pillai. In doing so I would move that the words "The celebration of" in the resolution be deleted. The resolution as amended would read thus:—

> "This Assembly respectfully tenders its felicitations to Sachivottama Sir C. P. Ramaswami Aiyar LL. D., the President of the Assembly on his 'Sashtiabdapurthi' and wishes him long life, happiness and prosperity."

I hope the amendment will be accepted by the honourable members of this House.

DEPUTY PRESIDENT: Is the amendment accepted by Ramakrishna Pillai?

MR. N. RAMAKRISHNA PILLAI: I have no objection in accepting it.

MR. K. KUNJU PANICKER: I also support the motion. Of all the people in the State, Ezhavas owe a debt of gratitude to Sir C. P. Ramaswami Aiyar. Though the Ezhavas in Travancore are numerically superior to any other community in the State I say that they are given the full human right, full citizenship only after the charge of the administration of Travancore was assumed by Sir C. P. Ramaswami Aiyar. I say this with special reference to the Temple Entry Proclamation. Though the Temple Entry Proclamation was issued by His Highness the Maharaja it was brought into operation in its full significance solely by the ability of Sir C. P. Ramaswami Aiyar. Had it not been for the efficient executive power of Sir C. P. Ramaswami Aiyar I am of opinion that the Temple Entry could not have been an accomplished fact as it is seen today. Outside Travancore, in British India, the reformers under the guidance of Mahatma Gandhi have attempted to get the temple entry to the Harijans there and we see the ludicrous failure of the attempt in that part of India. We know that in Travancore even distant pollution was observed. Hence we know the Temple Entry has become an accomplished fact in its

[Mr. K. Kunju Panicker.]

complete significance solely because of the administrative capacity of Sir C. P. Ramaswami Aiyar. I submit that this by referring to single matter the Ezhavas owe a deep debt of gratitude to Sir C. P. Ramaswami Aiyar. Not only the Ezhavas but all the backward sections of the Hindu community owe a debt of gratitude to Sir C. P. Ramaswami Aiyar for Temple Entry. As for the ability, capacity and talents of Sir C. P. Ramaswami Aiyar, the mover has referred at length to those things. With these words I support the motion before the House.

MR T. T. KESAVAN SASTRI: സർ, ഞാൻ വളരെ സന്തോഷത്തോടുകൂടിയാണ് ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നത്. ദിവാൻ പ്രസിഡൻറിൻെറ ഷഷ്ട്യബ്ദപൂർത്തിയെ ആദരിക്കയും ആശംസകൾക്കു സംഗതിയാക്കുകയും ചെയ്യുന്ന ഈ ഉപക്ഷേപത്തെ പിൻതാങ്ങേണ്ട ചുമതല കൂടി ഉണ്ടെന്നാണ് ഞാൻ വിചാരിക്കുന്നത്. മഹാനായ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകൾ ഇവിടത്തെ ഭരണഭാരം കയ്യേററ ആ സന്ദർഭം അനുസ്മരണീയമാണല്ലൊ. സകല ജനങ്ങളാലും അഭിനന്ദനാർഹനായി ലോകപ്രസിദ്ധമായ ക്ഷേത്രപ്രവേശന വിളംബരത്തിനു പ്രേരകനായിട്ടാണല്ലൊ അദ്ദേഹം ഭരണം ആരംഭിച്ചത്. തിരുവിതാംകൂർ ജനതയ്ക്കു മാത്രമല്ലാ ഇതര രാജ്യവാസികൾക്കുപോലും ആ മഹനീയസംഭവത്താൽ അദ്ദേഹത്തെയും അഭിനന്ദിക്കുവാൻ കഴിഞ്ഞു. പ്രത്യേകിച്ചും ശ്രീചിത്തിരതിരുനാൾ മഹാരാജാവു തിരുമേനിയെപ്പോലെ അവശസമുദായങ്ങളുടെ നിത്യസ്മരണക്കു സർവഥാ പാത്രീഭൂതനായി പൊതുവേ രാജ്യക്ഷേമത്തിനു സർവോപരി സാഹായങ്ങളായ പ്രവർത്തനങ്ങൾ അദ്ദേഹം കൈക്കൊണ്ടു. ഇതിനിടെ രാഷ്ട്രീയാവകാശം സംബന്ധിച്ചു വന്നുചേർന്ന ദുർനിമിത്തങ്ങളും മററും ശക്തിയുക്തം ശാന്തമാക്കുകയും തൻെറ ഭരണപാടവത്തേയും കുശാഗ്രബുദ്ധിയേയും പ്രകാശിപ്പിക്കയും ചെയ്തിട്ടുള്ളതു നാമാരും മറക്കാനിടയായിട്ടില്ലല്ലൊ. ഇങ്ങനെ ധീരനും ഭരണതന്ത്രജ്ഞനും സകല കലാവല്ലഭനുമാകയാൽ തിരുവിതാംകൂർ യൂണിവേഴ്സിററിയിൽ നിന്നും എൽ എൽ. ഡി, ബിരുദം ലഭിക്കുകയും ചെയ്തിരിക്കുന്നു. സർ. സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ വ്യക്തിമാഹാത്മ്യത്തെ അദ്ദേഹത്തിൻെറ ശത്രുക്കൾപോലും എവിടെയും പ്രശംസിക്കാതിരിക്കുന്നില്ല. മഹാരാജാവു തിരുമേനിയേയും നമ്മുടെ രാജ്യത്തേയും വിശ്വാസപൂർവം, സ്നേഹപൂർവം പിൻതുടരുകയാൽ അദ്ദേഹത്തിനോടു ബഹുജനങ്ങൾക്കുണ്ടായ അവ്യാജമായ സ്നേഹബഹുമാനാദരവുകൾ ഷഷ്ട്യബ്ദപൂർത്തിയോടുകൂടി എങ്ങും പ്രകാശിതമായി

ത്തിനു. തിരുവിതാംകൂറിലും വെളിയിലും ഷഷ്ട്യബ്ദപൂർത്തി ആഘോഷങ്ങൾ ധാരാളമായിരുന്നു. സകലരും അദ്ദേഹത്തിന്റെ മാനനീയമായ കീർത്തിയെ പ്രകീർത്തിച്ചു അനവധി സ്മാരകങ്ങൾ എങ്ങും ആരംഭിച്ചു. തിരുവിതാംകൂറിൽ അദ്ദേഹത്തിന്റെ ഷഷ്ട്യബ്ദപൂർത്തിക്കു മുൻപു തിരുവനന്തപുരം സചിവോത്തമ മൃഗാശുപത്രിയും കുറിച്ചി സചിവോത്തമപുരം കാളനിയും വെങ്ങാന്നൂർ ദിവാൻ സർ സി. പി. മെമ്മോറിയൽ ഗ്രന്ഥശാലയും മാത്രമെ ഉണ്ടായിരുന്നതായി എനിക്കു ഓർമ്മയുള്ളു. എന്നാൽ ഇപ്പോൾ എത്രയെത്ര സ്ഥാപനങ്ങൾ ഉണ്ടായിട്ടുണ്ടെന്നു പറയാൻ നിവൃത്തിയില്ല. എത്രയോ ക്ഷണത്തിൽ ജനസഞ്ചയം അദ്ദേഹത്തിന്റെ വ്യക്തിമാഹാത്മ്യം പൊതുവെ അറിഞ്ഞിരിക്കുന്നു. കഴിഞ്ഞ കൊല്ലം സചിവോത്തമപുരംകാളനി ഉൽഘാടനം ചെയ്തുകൊണ്ടു ദീർഘദർശിയായ ഗവണ്മെൻറു ചീഫ് സെക്രട്ടറി ശ്രീമാൻ എം. കെ. നീലകണ്ഠയ്യർ അവർകൾ ചെയ്ത പ്രസ്താവന ഇന്നു സർവത്ര ഫലിച്ചിരിക്കുന്നു. സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ മഹായോഗ്യതകൾ പ്രശംസിക്കുകയും അനവധി സ്മാരകങ്ങൾ ഉണ്ടാകുമെന്നഭിപ്രായപ്പെടുകയും ചെയ്ത ആ ആശംസ ഇന്നു ധാരാളമായി ഫലിച്ചിരിക്കുന്നുവെന്നുള്ളതു എടുത്തു പറയേണ്ടതാണല്ലൊ? ശ്രീചിത്തിരതിരുനാൾ തിരുമനസ്സിലെ ജന്മനക്ഷത്രത്തോടടുത്ത ജന്മദിനമാണല്ലൊ സചിവോത്തമന്റെ ജന്മദിനവും. ഷഷ്ട്യബ്ദപൂർത്തി ദിനത്തിന്റെ ഭവ്യതകൾ ഓരോ സ്ഥലങ്ങളിലും എത്രത്തോളമായിരുന്നു എന്നു പറഞ്ഞറിയിക്കാൻ പ്രയാസം. "മന്ത്രിമാർ ഗുണപൂർണരായി വന്നാൽ രാജ്യനീതിക്കൊരു മന്തിരിക്കു വരില്ലവൈകല്യം" എന്ന പണ്ഡിതവചനമോർത്താൽ നമ്മുടെ ദിവാൻജി അവർകളുടെ സുശോഭനമായ ഭരണം രാജ്യത്തിന്റെ ഭാസുരമായ ഭാവൈശ്വര്യങ്ങൾക്കു നിശ്ചയമായും നിദാനമായിത്തീരുമെന്നു പൂർണ്ണമായി വിശ്വസിക്കാവുന്നതാണല്ലൊ. ഈ അവസരത്തിൽ വിദഗ്ദ്ധനും വിശാലാശയനുമായ ദിവാൻ സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകൾ കെ. സി. ഐ. ഈ. എൽ എൽ. ഡി. അവർകൾക്കു സർവ മംഗളങ്ങളും ഉത്തരോത്തരം ഉണ്ടാകുമാറാകുവാൻ ഞാനും പ്രാർത്ഥിക്കുകയും ഈ ഉപക്ഷേപത്തെ ആത്മാർത്ഥമായി അനുകൂലിക്കയും ചെയ്തുകൊള്ളുന്നു.

തിരുവിതാംകൂറിലെ അവശജനങ്ങളുടെ ഉന്നമനവിഷയത്തിലും അദ്ദേഹം പ്രകടിപ്പിക്കുന്ന താൽപര്യങ്ങളേയും സാഹായ്യങ്ങളേയും പ്രത്യേ

[Mr. T. T. Kesavan Sastri]

കം അനുസ്മരിക്കുവാനും കൃതജ്ഞത പ്രകാശിപ്പിക്കുവാനും ലഭിച്ച ഈ പ്രത്യേക സന്ദർഭത്തെ അതിനായി ഉപയോഗപ്പെടുത്തുകയുംചെയ്തുകൊള്ളുന്നു. ഇവിടത്തെ പ്രധാന സമുദായങ്ങളിൽ ഒന്നായ സർവീസ്സൊസൈററി ചെയ്തിട്ടുള്ള പൂർവകായപ്രതിമയും മററു പ്രധാനസമുദായങ്ങൾ ഓരോന്നും ചെയ്തിട്ടുള്ള സ്മാരകങ്ങളും അവശസമുദായങ്ങളും വിശേഷിച്ചു ഞാൻ ഉൾപ്പെട്ട സമുദായവും ചെയ്തിട്ടുള്ള സ്ഥാപനങ്ങളുമെല്ലാം അദ്ദേഹത്തിന്റെ പേരിനും പെരുമയ്ക്കും ഇതിലും അധികമധികം അവസരമുണ്ടാക്കുമാറാകട്ടെ.

MR. J. E. A. PEREIRA: Sir, I wish to associate myself with the congratulatory expressions pronounced by the Honourable Members on the Sashtiabdapurthi of Sachivottama Sir C. P. Ramaswamy Aiyar, the Dewan-President of this House. In doing so, I shall try to be as brief as possible, for the simple reason the Honourable Members of this House are well aware of his achievements elsewhere and more so of his local achievements. He is one of the best-known personalities of India. Sir C. P. Ramaswamy Aiyar is at ease on any subject; in addition to statesmanship with subjects like Gita, Music, Art, Literature and so on, so much so just as the Poet said he "can roll his eyes in a fine frenzy on all matters from Earth to Heaven and from Heaven to Earth." He is a versatile genius and it is the good fortune of Travancore that we have him here at this juncture when we are launching out improvements in many directions.

In fact, in my opinion, the future historian of India would look in vain for a parallel case of so colourful a personality as Sir C. P. Ramaswamy Iyer, combining such rare qualities, a brilliant Advocate an astitute Statesman, a keen student of Art and Literature with a breadth of outlook in life and a humanitarian. This aspect was best testified by the part he played in the Temple Entry Proclamation by removing the age-long puranic tyranny of denying God Himself to a section of the people for the mere accident of birth.

The modern conception of longevity of life is only three score years and ten and according to our ancients, it was full five scores and Sashtiabdapurthi meant full maturity of wisdom and according to this conception, we can confidently expect that future achievements of Sir C. P. Ramaswamy Aiyar will eclipse those of the past. I wish him several more years of useful life and I support the motion.

MR. KOTTALIL P. ABRAHAM: Sir, I support the motion, and I do so with great pleasure. I associate myself with every sentiments expressed by the honourable mover as well as by my honourable predecessors I wish to add a few words. Our Dewan President Sir C. P. Ramaswami Aiyar's Sashtiabdapurthi fell on the 24th of Thulam this year, when it was celebrated with joy and enthusiasm throughout the length and breadth of Travancore. The people of the State then knew that

they were celebrating the happy event of the completion of the 60th birthday of a great man whose career has been uniformly marked with success, an able Administrator whom their Gracious Sovereign in his solicitude for the welfare of his subjects has chosen as his trusted Minister, and on whom in recognition and satisfaction of his loyal and faithful services His Highness has been pleased to confer the title of 'Sachivottama.'

Sir C. P. Ramaswami Aiyar is the Dewan-President of this Assembly and so it behoves this House meeting for the first time since that event to remember the happy occasion of his Sashtiabdapurthi and to offer him our heartfelt felicitations.

Sir C. P. Ramaswami Aiyar's name first became familiar two decade ago as a distinguished advocate when he appeared in the Travancore High Court to plead for a party of Christians in the well known Interpleader suit.

Next we saw him in Travancore about 8 years ago when His Highness the Maharaja assumed ruling powers. Sir C. P. Ramaswami Aiyar was then appointed as the Legal and Constitutional Advisor to His Highness. Then he became the Dewan of the State and for the last three years we see him in that capacity. His achievements as Advisor and as the head of our administration are great and many. They are a series of successes as his life throughout has been. He is the father of the present bicameral legislature of which this Assembly forms a part; he has played a prominent part in bringing about the historic Temple Entry Proclamation. Of the development schemes which he has carried out the Pallivassal Hydro Electric project is proving a boon to the industrial progress of our State. Then there is the State Transport Scheme the benefit of which the people have now begun to enjoy and understand. The Travancore University with its new ideals in Education owes much to him for its start. These are some of the very big schemes which would perpetuate the name of Sir C. P. Ramaswami Aiyar in Travancore. His very high qualities of head and heart win for him willing respect and love from every one who knows him. He is bestowed with a dynamic personality, an admirable tongue winning manners, a wide knowledge of men and things, and above all a uniform sympathy for anybody who comes into contact with him. As the President of this House he is always keen on keeping and maintaining its prestige and decorum. He is scrupulously punctual and hard working and listens with interest every syllable of the utterances made in this House. At the same time he is solicitous about the prestige and privileges of the Honourable Members who form this Assembly. The Travancore University has expressed its pride in conferring on the honorary degree of LL. D. Sir, this House feels proud in having as its President one who has been pronounced by no less a person than the late Mr. Montague as the cleverest man he had ever come across. May God vouchsafe to him many more years of useful life. With these words I support the motion.

MR. K. R. NARAYANAN: സർ സി. പി. രാമസ്വാമി അയ്യർ എൽ എൽ. ഡി. അവർകളുടെ ഷഷ്ട്യബ്ദപൂർത്തി ആഘോഷത്തെ അനുമോദിക്കുന്ന ഈ നിശ്ചയത്തെ സംബന്ധിച്ച് എന്തെങ്കിലും സംസാരിക്കാതിരുന്നാൽ ഒരു ഈഴവനെന്ന നിലയിൻ കൃത്യവിലോപവും തിരുവിതാംകൂറിലെ ഒരു പൌരൻ എന്ന നിലയിൽ ഒരു അപരാധവുമായിരിക്കും. എന്റെ ബഹുമാനപ്പെട്ട സ്നേഹിതൻ രാജശ്രീ കുഞ്ഞുപണിക്കർ അവർകൾ പറഞ്ഞതുപോലെ പിന്നോക്ക സമുദായക്കാരുടെ അവശതകൾക്ക് പരിഹാരമുണ്ടാക്കാനായി സർ സി പി. രാമസ്വാമിഅയ്യർ ചെയ്ത ഒററ സംഗതി ക്ഷേത്രപ്രവേശനവിളംബരം പുറപ്പെടുവിക്കുന്നതിനു മഹാരാജാവു തിരുമനസ്സിനെ ഉപദേശിച്ചു എന്നുള്ളതാണ്. എത്രയോ കൊല്ലമായി എത്രയോ നൂററാണ്ടുകളായി അനേകലക്ഷമാളുകൾ ക്ഷേത്രപ്രവേശനമില്ലാതെ വിഷമിച്ചു കൊണ്ടിരിക്കുന്നതിനു ഒരു പരിഹാരം വരുത്തുകയെന്നുള്ളതു ക്ഷിപ്രസാധ്യമായ ഒരു സംഗതിയല്ല. മാമൂലിന്റെയും പല നിബന്ധനകളുടേയും പേരിൽ എത്രയോ ലക്ഷം ആളുകൾ ക്ഷേത്രപ്രവേശനത്തിനെതിരായി വിമർശനങ്ങളും നിരൂപണങ്ങളും നടത്തിക്കൊണ്ടിരുന്നതിനെ ധൈര്യത്തോടും സാമർത്ഥ്യത്തോടും കൂടി ഇല്ലാതെയാക്കി ക്ഷേത്രപ്രവേശനത്തിനനുകൂലമായ ഒരു അന്തരീക്ഷം ഉണ്ടാക്കിയ സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമി അയ്യരുടെ പ്രവൃത്തി എത്രയും ശ്ലാഘനീയമാകുന്നു. അതുകൊണ്ടാണ്, ഞാൻ പ്രാരംഭത്തിൽ ഈ പ്രമേയത്തെപ്പററി എന്തെങ്കിലും സംസാരിക്കാതെയിരുന്നാൽ അതൊരീഴവന്റെ നിലയിൽ ഒരു കൃത്യവിലോപനായിത്തീരും എന്നു പറഞ്ഞത്.

രാമയ്യൻ ദളവായുടെ കാലം കഴിഞ്ഞതിനു ശേഷം അത്തരത്തിലുള്ള ഒരു ദിവാൻജിയെ ലഭിക്കുന്നതിനു നാം വളരെ കാത്തിരിക്കേണ്ടതായിവന്നു. സർ സി. പി രാമസ്വാമിഅയ്യർ തിരുവിതാംകൂറിലെ ഭരണം കയ്യേററതു ഏതൊരു കാലഘട്ടത്തിലായിരുന്നു എന്നുള്ളതു നമുക്കെല്ലാപേക്കും അറിയാം. അതിശക്തിയായ രാഷ്ട്രീയപ്രക്ഷോഭണം, തെററാകട്ടെ, ശരിയാകട്ടെ, കന്യാകുമാരി മുതൽ മുനമ്പംവരെ ഇളക്കിമറിച്ചു കൊണ്ടിരുന്ന ഒരു പ്രധാനഘട്ടത്തിലാണ് അദ്ദേഹം ഇവിടെ ഭരണം കയ്യേററത്. രാജ്യത്തിന്റെ പല ഭാഗത്തുനിന്നും ഭരണത്തെപ്പററി അതികർക്കശമായ നിരൂപണങ്ങൾ പുറപ്പെടുവിച്ചുകൊണ്ടിരുന്നു. അങ്ങനെയുള്ള ഒരു പതനത്തിലാണ് ഒരാളിന്റെ സാമർത്ഥ്യവും തന്റേടവും കാണിക്കേണ്ടതു്. ഓളമില്ലാതേയും കാററില്ലാതേയും ശാന്തമായി കിട

ക്കുന്ന ജലാശയത്തിൽ വഞ്ചി വച്ചുകൊണ്ടുപോകാൻ വഞ്ചിക്കാരന്റെ മുറിത്തണ്ടും മുറിക്കഴുക്കോലും കൊണ്ടു നിഷ്പ്രയാസം സാധിക്കാവുന്നതാണ്. പക്ഷെ, സർ സി. പി. രാമസ്വാമിഅയ്യർ ഈ വഞ്ചിയുടെ കഴുക്കോൽ കയ്യേററ സന്ദർഭത്തിൽ വഞ്ചിരാജ്യത്തിന്റെ ചുക്കാൻ പിടിച്ച സന്ദർഭത്തിൽ ഭയങ്കരമായ ഓളവും ചുഴലിക്കാററും വീശിക്കൊണ്ടിരുന്നു. യാതൊരു നിരാശയും കൂടാതെ യാതൊരു ഭീഷണിയും പ്രയോഗിക്കാതെ രാജ്യത്തു ഒരു പ്രശാന്തത വരുത്താനുള്ള തന്റേടം, നിരൂപണങ്ങളോടു എതിരിടാനുള്ള ശേഷി മുതലായവ അദ്ദേഹത്തിനുണ്ടായിരുന്നു എന്നുള്ളതുകൊണ്ടു തന്നെ നാം അദ്ദേഹത്തെ ഏററവും കൃതജ്ഞതയോടുകൂടി അനുസ്മരിക്കേണ്ടതാകുന്നു.

സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ ഷഷ്ട്യബ്ദപൂർത്തി ഏതു മാസത്തിൽ ആഘോഷിച്ചോ, ആ മാസം ഒരു കൊല്ലത്തിനു മുൻപു കടന്നു നോക്കിയാൽ നിരൂപണത്തിന്റെയും വിമർശനത്തിന്റെയും നിഴലുകൾ വീശിയിരിക്കുന്നതായി കാണാം. അതുകളെ തരണം ചെയ്തതിൽ നിന്നും അദ്ദേഹം എത്ര ബുദ്ധിമാനാണ്, എത്ര തന്റേടക്കാരനാണ്, തിരുവിതാംകൂറിനെ എത്രമാത്രം സ്നേഹിക്കുന്നുണ്ടു എന്നെല്ലാം തെളിയുന്നുണ്ട്. അദ്ദേഹത്തിന്റെ വ്യക്തിത്വത്തെക്കുറിച്ചു ഞാൻ ഒന്നും തന്നെ പറയേണ്ടയാവശ്യമില്ല. ചക്രവാളത്തെ നോക്കുന്ന സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ കണ്ണുകൊണ്ടു കന്യാകുമാരി മുതൽ മൂന്നമ്പലംവരെയല്ലാ നോക്കുന്നത്, ഹിമാലയ പർവതവും കടന്നു ചക്രവാളത്തെയും നോക്കിക്കൊണ്ടിരിക്കുന്നു.

ഇവിടെ സാമ്പത്തികമായ പരിപാടികൾ പലതും കൊണ്ടുവന്നിട്ടുണ്ട്. പള്ളിവാസൽ പദ്ധതിയെ സംബന്ധിച്ചു ഒന്നുരണ്ടു ബഡ്ജററുസമ്മേളനാവസരത്തിൽ ഞാൻ തന്നെ നിരൂപണം ചെയ്തു. പള്ളിവാസൽ പദ്ധതി എന്നെ സംബന്ധിച്ചിടത്തോളം ഒരു മുയൽക്കൊമ്പായിരുന്നു; ഒരു നാലാഴ്ചക്കു മുൻപു ഞാൻ പള്ളിവാസലിൽ ചെന്നു നോക്കി; ഈ പദ്ധതി മൂലം തിരുവിതാംകൂറിലെ സാമ്പത്തിക നില വളരെ ശോഭനമായ ഒരു ഘട്ടത്തിൽ എത്തിക്കുമെന്നുള്ള കാര്യം അവിതർക്കിതമാണ്. രാജ്യത്തിലെ ഭൂരിപക്ഷമാളുകൾ പള്ളിവാസൽ പദ്ധതി പരാജയമാകുമെന്നു പറഞ്ഞപ്പോൾ പിൻതിരിഞ്ഞു പോകാതെ തന്റെ കാര്യപരിപാടി സാധിതപ്രായമാണെന്നു കാണിക്കാൻ നിരൂപകന്മാരുടെ മദ്ധ്യത്തിൽ നിന്നു ശ്രമിച്ച സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ തന്റേടത്തെ, ആത്മാർത്ഥതയെ അദ്ദേഹത്തിന്റെ ആയിരമായിരം പ്രതിമകൾ ഇവി

[Mr. K. R. Narayanan]

ടെ വച്ചാലും അതൊട്ടും അധികമാകയില്ല. നിരൂപണങ്ങൾ തെററാണെന്നു അദ്ദേഹം പ്രവൃത്തികൊണ്ടു കാണിച്ചു. നിരൂപകന്മാൎക്കു വൈരാഗ്യമില്ല. നിരൂപണം ശ്രദ്ധിക്കാനുള്ള സന്നദ്ധതയും പരിഹാരങ്ങൾ ഉണ്ടാക്കാനുള്ള മഹാമനസ്കതയും അദ്ദേഹത്തിനുണ്ടു്.

ഈ രാജ്യത്തു വിഷമം ഉണ്ടാക്കുന്ന ഒന്നാണ് പബ്ലിക്ക സർവ്വീസ്. സർ. സി. പി. രാമസ്വാമിഅയ്യർ ഇവിടത്തെ അഡ്വൈസർ ആയിരുന്ന കാലത്തും ദിവാൻജി ആയശേഷവും ഈ കാൎയ്യത്തിനായി ഞാൻ പലപ്രാവശ്യവും അദ്ദേഹത്തെ കാണാൻ പോയിട്ടുണ്ടു്. ആ സന്ദർഭങ്ങളിലെല്ലാം വളരെ വിനീതനായി സ്വീകരിക്കുന്നതിൽ സർ സി. പി. രാമസ്വാമിഅയ്യർ കാണിക്കുന്ന സന്നദ്ധതയും മഹാമനസ്കതയും ശ്ലാഘനീയമാണ്. ഈ അസംബ്ലിയിൽനിന്നുകൊണ്ടു എത്ര കൎക്കശമായ നിരൂപണങ്ങൾ ചെയ്തതിനുശേഷവും അവിടെ ചെല്ലുമ്പോൾ അദ്ദേഹം സമഭാവനയോടുകൂടി സ്വീകരിക്കുന്നു. അദ്ദേഹത്തിൻെറ വിശാലബുദ്ധി, നാട്ടിനോടുള്ള സ്നേഹം, രാജ്യത്തോടുള്ള മമത ഇവ നിരൂപണങ്ങൾ സഹിക്കുന്നതിനുള്ള ശക്തിയെ നൽകുന്നു.

ഹിന്ദുപുസ്തകങ്ങളിൽ രാമരാജ്യം എന്നുള്ളതു ഉത്തമമായ ഭരണത്തിനു പറയുന്ന പേരാണ്. അതായതു, രാമരാജ്യഭരണം എന്നു പറഞ്ഞാൽ നല്ല ഭരണമെന്നാണ് അർത്ഥം. ഇവിടെ നമുക്കു ഒരു രാമരാജ്യഭരണമല്ല, രണ്ടു രാമരാജ്യഭരണമാണുള്ളതു്. രാമയ്യൻദളവായുടെ കാലത്തു മഹാരാജാവു രാമനല്ലായിരുന്നു. ഇന്നാകട്ടെ ഡബിൾ രാമന്മാരുടെ ഭരണമാണു. ഒരു രാമൻെറ ഭരണംതന്നെ വളരെ ശോഭനമായിരിക്കുമ്പോൾ രണ്ടു രാമന്മാരുടെ ഭരണം ഏററവും അഭിരാമമായിരിക്കുമെന്നുള്ളതിനു സംശയമില്ല. ഇവിടത്തെ അസമത്വമാകുന്ന താടക പോകട്ടെ. അനീതിയാകുന്ന പൂതന നശിക്കട്ടെ. ഉപദ്രവം ഉണ്ടാക്കുന്ന കാളക്രൂടം പലായനം ചെയ്യട്ടെ. ശാന്തമായ ഒരന്തരീക്ഷം തിരുവിതാംകൂറിലുണ്ടാകട്ടെ. നിശിതനിരൂപണങ്ങൾക്കിടയിൽ മഹാരാജാവു തിരുമനസ്സിനെ ഉപദേശിക്കാൻ സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമിഅയ്യർ സന്നദ്ധനാകട്ടെ. അദ്ദേഹത്തിനു ആരോഗ്യമുണ്ടാകട്ടെ എന്നുള്ള ആശംസ ഞാൻ ചെയ്യുന്നില്ല. അദ്ദേഹത്തിനു ഷഷ്ട്യബ്ദപൂൎത്തിയായി എന്നറിഞ്ഞപ്പോൾ തന്നെ എനിക്കും ഷഷ്ട്യബ്ദപൂൎത്തിയായില്ലേ എന്നു സംശയം തോന്നി, അദ്ദേഹത്തിൻെറ ചൈതന്യം കണ്ടാൽ ഷഷ്ട്യബ്ദപൂൎത്തിയായി എന്നു വിശ്വസിക്കാൻ നിവൃത്തിയില്ല, ജാതകത്തിൽ

പററിയിട്ടുള്ള ഒരബദ്ധമെന്നെ പറയുവാനുള്ളൂ. അദ്ദേഹം തന്നെ ഷഷ്ട്യബ്ദപൂർത്തിയായി എന്നു പറയുന്നതുകൊണ്ടു അതു വിശ്വസിക്കാം അദ്ദേഹത്തിൻെറ ആരോഗ്യം തന്നെ നല്ലതാകയാൽ ഞാൻ അതിനെ ആശംസിച്ചു വർദ്ധിപ്പിക്കേണ്ട ആവശ്യമില്ല.

MR. JOHN JOSEPH : സചിവോത്തമ സർ സി. പി. രാമസ്വാമി അയ്യർ കെ. സി. ഐ. ഇ, എൽ. എൽ. ഡി. അവർകളുടെ ഷഷ്ട്യബ്ദപൂർത്തിസ്മാരകസ്മരണയെ ശ്രീമൂലം അസംബ്ളിയിൽ റിക്കാർഡു ചെയ്യണമെന്നു ബഹുമാനപ്പെട്ട മെംബർ മി. രാമകൃഷ്ണപിള്ള അവർകൾ കൊണ്ടുവന്നിട്ടുള്ള പ്രമേയത്തെ ഞാൻ ഹാർദ്ദമായി പിൻതാങ്ങുന്നു. അദ്ദേഹം അതിനു സർവഥാ അർഹൻതന്നെയാണ്. സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളെ തിരുവിതാംകൂർ ദിവാൻജിയായി ലഭിച്ചതു് തിരുവിതാംകൂർകാരുടെ ഒരു മഹാഭാഗ്യമെന്നുവേണം കരുതാൻ. ഇവിടുത്തേക്കാൾ കൂടുതൽ സാദ്ധ്യതകൾ ബ്രിട്ടീഷ ഇൻഡ്യയിൽ അദ്ദേഹത്തിനു ലഭിക്കാമെന്നിരുന്നിട്ടും ഇവിടത്തെ ദിവാൻപദം സ്വീകരിച്ചതിൽ അദ്ദേഹം പ്രദർശിപ്പിച്ചിരിക്കുന്ന ത്യാഗം അഭിനന്ദനീയംതന്നെ. അദ്ദേഹത്തിൻെറ വിശാലവീക്ഷണം, കർമ്മകുശലത, ഇവകൾ അന്യാദൃശങ്ങളാണ്. ചുമതലയും ഭാരവും വമ്പിച്ച ചെലവും ഉള്ള പുത്തൻ പുത്തൻ പദ്ധതികൾ രൂപീകരിച്ചു നടത്തിക്കൊണ്ടുവരുന്നതിൽ അദ്ദേഹത്തിൻെറ കർമ്മധീരതയും ധൈര്യവും സ്തുത്യർഹംതന്നെ. യഥാസ്ഥിതികന്മാരായ ഒരു വലിയകൂട്ടം ആളുകൾ തങ്ങളുടെ നിശിതമായ എതിർപ്പുണ്ടാക്കിയിട്ടും പൊന്നുതമ്പുരാൻ തിരുമേനിയെ ഉപദേശിച്ചു ഇവിടത്തെ ക്ഷേത്രങ്ങളിൽ എല്ലാ ഹിന്ദുക്കൾക്കും പ്രവേശനംകൊടുക്കുന്നതിൽ സർ സി. പി. രാമസ്വാമിഅയ്യർ പ്രദർശിപ്പിച്ച ധൈര്യം സ്തുത്യർഹവും അദ്ദേഹത്തിൻെറ ധൈര്യത്തിനു ഈ വിളംബരം മകുടോദാഹരണവുമാണ്. അദ്ദേഹത്തിനു അറുപതു വയസായി എന്നു പറഞ്ഞാൽ പ്രഥമദൃഷ്ടിക്കു ആക്കും വിശ്വസിക്കാൻ കഴിവുണ്ടാകുന്നതല്ല. അദ്ദേഹം ഇന്നും അരോഗദൃഢഗാത്രൻതന്നെയാണ്. അദ്ദേഹത്തിൻെറസ്മാരകമായി ഇവിടെ ഒരധഃകൃത കാട്ടുനായും ഒരു മൃഗാശുപത്രിയുമാണുണ്ടായിരുന്നതു്. എന്നാൽ അദ്ദേഹത്തിൻെറ ഷഷ്ട്യബ്ദപൂർത്തി സ്മാരകമായി രാജ്യത്തിൻെറ നാനാഭാഗത്തും പലവിധസ്മാരകങ്ങൾ ഉണ്ടായിക്കഴിഞ്ഞു. അദ്ദേഹത്തിൻെറ ഖ്യാതിയുടെ ശുക്ലദശ ആരംഭിച്ചിട്ടേയുള്ളൂ. ഇത്രത്തോളം യോഗ്യനായ ഒരു മന്ത്രിവരനെ തിരഞ്ഞെടുത്തതിൽ ശ്രീചിത്തിരതിരുനാൾ പൊന്നുതമ്പുരാൻ പ്രദർശിപ്പിച്ച ബുദ്ധിപൂർവകമായ പ്രവൃത്തി ലോകം ഉള്ളനാളും വാഴ്ത്തപ്പെടുന്നതാണ്. സചിവോത്തമ സർ സി. പി. രാമസ്വാമി

[Mr. John Joseph.]

അയ്യർ അവർകൾക്ക് പുരുഷായുസ്സ് ൧൨൦ വർഷംതന്നെ. അദ്ദേഹം ദീർഘായുസ്സായിരിക്കാൻ ഞാൻ ജഗദീശ്വരനെ പ്രാർത്ഥിക്കുന്നു.

അദ്ദേഹം ഇനിയും വളരെക്കാലം ഇതിലും പ്രശസ്തിയോടുകൂടി ദിവാൻ പദം അലംകരിച്ചു തിരുവിതാംകൂർ ജനതതിക്കു നന്മചെയ്യാൻ ഈശ്വരൻ കടാക്ഷിക്കട്ടെ എന്നുള്ള പ്രാർത്ഥനയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ ഹാർദ്ദമായി അനുകൂലിക്കുന്നു.

DEPUTY PRESIDENT: Before we proceed further, may we suggest to this House that the next motion standing in the name of Mr. Ramakrishna Pillai be allowed to be moved so that the discussion may proceed simultaneously, since both the motions are of a complementary character. I think that some time may be saved thereby, but, I leave it entirely to the House. Is this suggestion acceptable to the House?

(Honourable members indicated assent.)

I think Mr. Ramakrishna Pillai may move the next motion.

MR. N. RAMAKRISHNA PILLAI: Sir, I move:

> "This Assembly tenders its hearty and respectful felicitations to Sachivottama Sir C. P. Ramaswami Aiyar, the President of the Assembly on the honorary degree of LL. D., conferred upon him by the Travancore University."

The idea of a University for Travancore was started more than a quarter of a century ago and though investigations by committees and discussions on various occasions had taken place since then, no tangible result ensued until the matter was taken up by Sachivottama Sir C. P. Ramaswami Aiyar. He felt no difficulty at all in bringing the University into existence at once. The University is now an accomplished fact and is intended to bring into effect a new method of education suited to the requirements of the people. The University has been honoring itself by honouring one of the most distinguished sons of India. I move this motion for acceptance of the House.

MR. M. R. NARAYANA PILLAI: I rise to support the motion so ably moved by my honourable friend. Sir C. P. Ramaswami Iyer is a great man. His activities in many fields in India show his is not a name to be conjured with. His indefatigable energies and indomitable courage. coupled with his imposing personality have already made him win through many a difficult situation. His wide outlook, his keen insight and above all, his deep knowledge of men and things have already established how able a person he is. The vote of this House, of which he is the President, shows how much his work is being appreciated by the country. I support this motion.

MR. E. E. PANDARATHIL: Sir, we have the good fortune to felicitate the Sashtiabdapoorthi of such an able administrator on his completing sixty years of life of which a single year would have immortalised and satisfied any other individual. We have to congratulate ourselves because, as one of the honoured guests remarked on that occasion

it is a significant fact that our Dewan President had completed his sixtieth year in the service of our mother-land—significant that he is placing at our disposal the fruits of a rich and varigated life-time of experience of not only British India but the whole world. It is only fitting and proper that we as the sons of a great country celebrated in a great and fitting manner this happy occasion. A bust presented by the N. S. Society has been erected in the vestibule of the Legislative Chamber in fit commemoration of his legal acumen and legislative experience. This occasion has been most worthily used by all and we see that this occasion was the starting point of several schemes, several philanthropic and essential schemes for the general well-being of the public of this State. Several wards to several hospitals, opening of several libraries and such other institutions marked the commemoration of this great event. We have again to congratulate ourselves that in the all too short period in which we had experience of his administration he had proved himself worthy of the great name which he always carried with him. He has shown immense courage, forbearance and fortitude in the matter of polymic and reasonable debate during troubulous times in clearing misunderstandings and misrepresentations and also in exercising control with what Mr. K. R. Narayanan has specified in Malayalam and which I may be permitted to translate "the eye of Mars to command." We have got already the seeds of several details of administration which are simply the beginnings of a great future like the Transport Scheme etc. We have got the architect of Pykara for the consummation and inauguration of our Pallivassal and we have got a cultured creator of a University, and his endeavours will be to cover it with further and greater glory. It is therefore only natural that this University has distinguished itself by conferring on him the title of LL. D. We already see the beginning of several schemes of economic and cultural value. We have again especially to congratulate ourselves on the fact that we do not feel the pinch of the difficulties caused by the present war Those of us who remember the last war, (which war was only the last but one), will also remember the difficulties to which we were subjected to. The present state of affairs in which we have to be told to be reminded of the present war is all due to the dynamic and statesmanlike activities of our great Dewan who is thoroughly conversant and quick in anticipation with the happenings in other parts of the world. His monuments are his own works. And we will have occasion to remember that great man of culture whose sixtieth birthday is but a title page to a series of progressive acts in a re-generated Travancore. I heartily associate myself with the sentiments expressed in both the motions.

MR. E. P. VARGHESE (*Ambalapuzha* cum *Shertala*): With very great pleasure, I join my honourable friends in the sentiments expressed by them on the resolutions moved by the honourable member Mr. N. Ramakrishna Pillai. The honourable members who preceded me in this debate have recounted the qualities of head and heart of our present Dewan-President. Sir, it has been said of a great politician of the 18th Century that he gave to party what was meant for mankind. I might say of Sir C. P. Ramaswamy Aiyar that he has given to

[Mr. E. P. Varghese.]

Travancore what was meant for mankind. His talents, his brilliance, his achievements are such that he should have adorned the presidential chairs of more august Assemblies than ours. His foresight and statesmanship, and his universal popularity, have been recognised by the many felicitations which he received on the day of his Shashtiabdapurthi. That is the surest index to the popularity of his administration in this State.

His Highness the Maharaja, with an unerring instinct for finding out talented men for carrying on the administration of this State, has chosen a person of such world-wide reputation as Sachivottama Sir Ramaswamy Aiyar; and we, Travancoreans, have every reason to be proud that we have been blessed with such an administrator.

Sir, as one of the speakers remarked, Sachivottama Sir C. P. Ramaswamy Aiyar became Dewan not under ordinary circumstances. When the history of Travancore is written the period of the administration of Sachivottama Sir C. P. Ramaswamy Aiyar will certainly be considered as one of the most remarkable and epoch making in the history of our State. He assumed reigns of office when there was upheaval in the political, social and religious shperes; it was a time of great stress and strain for the Government. Now, he has steered the ship of the State into very calm waters without any danger to the citizens or the State. Once more I would like to express our deep debt of gratitude to His Highness the Maharaja for appointing, as the Dewan of Travancore, a statesman of the brilliance of Sachivottama Sir C. P. Ramaswami Aiyar.

We all wish Sir Ramaswamy Aiyar many more years of peaceful and progressive administration in this State.

MR. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*): I wish to associate myself with the fine sentiments expressed by the honourable members on the floor of this House.

The achievements of Sir Ramaswami Aiyar have been enumerated here, and I do not think there is any necessity for me to repeat them.

Sir, Travancore has been blessed by a long line of illustrious Dewans. There have been statesmen and administrators of the stamp of Raja Sir T. Madhava Rao, Sir P. Rajagopalachariar and V. P. Madhava Rao; there have been military strategists of the type of Rama Iyen Dalawa; there have been great economic reformers of the type of Raja Kesava Das. But, if we want to find a combination of all these qualities in one, we must look to Sachivottama Sir C. P. Ramaswamy Aiyar; he is unique in such combination of all the great qualities of our best Dewans. By congratulating a gentleman of that type, we are indeed congratulating ourselves. It is only in the fitness of things that we should avail ourselves of this opportunity to offer our respectful felicitations to the Dewan-President and wish him God speed.

MR. P. C. ADITCHAN: സർ, ബഹുമാനപ്പെട്ട മെംബർ മി. രാമകൃഷ്ണപിള്ള ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തെ അനുമോദിച്ചുകൊ

ണ്ടു ഞാനും രണ്ടുവാക്കു പറയണമെന്നാഗ്രഹിക്കുന്നു. സാമ്രാജ്യഭരണമണ്ഡലങ്ങൾ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ മഹനീയ സാന്നിദ്ധ്യവും സേവനവും ആവശ്യപ്പെട്ടുകൊണ്ടിരിക്കുന്ന അവസരത്തിൽ നമ്മുടെ ഈ ചെറിയ രാജ്യത്തിലേക്കു വരുവാനും തിരുവിതാംകൂറിന്റെ ഭാവിഭാഗധേയങ്ങൾക്കു നിദാനങ്ങളായ സാമൂഹ്യവും രാഷ്ട്രീയവുമായ നിരവധി പരിഷ്ക്കാരങ്ങളാൽ ലോകത്തെത്തന്നെ അമ്പരപ്പിച്ചു ജനങ്ങളെ അനുഗ്രഹിക്കുവാനും സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകൾക്കു കാരുണ്യമുണ്ടായതു നമ്മുടെ ഒരു ഭാഗ്യമാകുന്നു. സചിവോത്തമ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകളുടെ വ്യക്തിപരമായ ഗുണഗണങ്ങളെ സംബന്ധിച്ചുപറയുകയാണെങ്കിൽ ധാരാളം സമയംവേണ്ടിവരും. അതുകൊണ്ടു, ഞാൻ അതിലേക്കു ഉദ്യമിക്കുന്നില്ല. അവിടത്തെ മാഹാത്മ്യങ്ങളേയും വിശിഷ്ടാപദാനങ്ങളേയും കീർത്തിച്ചു് ഒരു സ്വർഗ്ഗീയാനന്ദം അനുഭവിക്കാമെന്നുവച്ചാൽ നിശിതമെങ്കിലും കാവ്യസുന്ദരമായ വാഗ്വിലാസം, വിസ്തൃതമെങ്കിലും അഗാധമായ ശാസ്ത്രപാണ്ഡിത്യം അപാരമെങ്കിലും വ്യക്തമായ ഭാവനാശക്തി, നിസ്സീമമെങ്കിലും അത്ഭുതകരമായ മേധാശക്തി, ദുർഗ്രാഹ്യമെങ്കിലും പ്രശംസനീയമായ രാജ്യഭരണതന്ത്രകുശലത, ഗൗരവസമ്പൂർണ്ണമെങ്കിലും മോഹനമായ ഹൃദയസമ്പത്തു തുടങ്ങി അവിടത്തെ അനർഗ്ഗളമായി അനുഗ്രഹിച്ചിട്ടുള്ള നിരവധി മാഹാത്മ്യങ്ങളിൽ ഏതിനെയാണു വാഴ്ത്തേണ്ടതു് എന്നു അറിയാതെ കുഴങ്ങിപ്പോകുന്നു. പുരാതനവും, ആധുനികവും, പാശ്ചാത്യവും പൗരസ്ത്യവുമായ ജ്ഞാനം, വിജ്ഞാനം, സംസ്കാരകർമ്മം, ഇവയെ ഒന്നിച്ചു കോർത്തിണക്കാനുള്ള നൈപുണ്യം, ദുർഘടങ്ങളായ രാജ്യഭരണകാര്യങ്ങളിൽ സുഗമമായി സഞ്ചരിക്കാനുള്ള ശേഷി, കർക്കശങ്ങളായ ശാസ്ത്രതത്വങ്ങളെ അപഗ്രഥനംചെയ്യുന്നതുപോലെ തന്നെ ലളിതകലകളെപ്പറ്റി മധുരകോമളമായ ഭാഷയിൽ പ്രതിപാദിക്കാനുള്ള പ്രാഗത്ഭ്യം, ഇവയാൽ അദ്ദേഹം ലോകത്തിന്റെ അസൂയയ്ക്കും അത്ഭുതത്തിനും പാത്രമായിത്തീർന്നിരിക്കുന്നു. പ്രബലവും കാരുണ്യസമ്പൂർണ്ണവുമായ തൃക്കരങ്ങൾ പൊന്നുതമ്പുരാൻ തിരുമനസ്സുകൊണ്ടു് പാവനമായ ഹൈന്ദവസംസ്കാരത്തിന്റേയും ധർമ്മത്തിന്റേയും ദയനീയസ്ഥിതിയിലേക്കു നീട്ടിയ അവസരത്തിൽ സചിവോത്തമൻ സർ സി. പി. രാമസ്വാമിഅയ്യർ അവർകൾ നൽകിയ പ്രചോദനം സനാതനധർമ്മം ഉള്ളിടത്തോളം കാലം ലോകത്തിനു വിസ്മരിക്കാൻ കഴിയുന്നതല്ല. ഈ മാതിരി സകലവിധേനയും പരിഷ്ക്കാരലോകത്തിന്റെ മുന്നണിയിൽ എത്തിയിരിക്കുന്ന നമ്മുടെ

[Mr. P. C. Adichan]

ദിവാൻജി അവർകളുടെ എൽ. എൽ. ഡി. ബിരുദലബ്ധിയിൽ അനുമോദിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ ഹാർദ്ദമായി പിൻതാങ്ങിക്കൊണ്ട് തല്ക്കാലം വിരമിക്കുന്നു.

MR. A. K. KUMARAN VYDIAN: സർ, ഞാൻ ഈ പ്രമേയത്തെ ഹാർദ്ദമായി അനുകൂലിക്കുന്നു. സംഭവബഹുലമായ ഒരു ജീവിതമാണ് സർ സി. പി. രാമസ്വാമിഅയ്യരുടേത്. അദ്ദേഹത്തിന്റെ ഇതഃപര്യന്തമുള്ള നേട്ടങ്ങളെക്കുറിച്ച് സ്മരിക്കുമ്പോൾ അദ്ദേഹത്തിനുതന്നെ സംതൃപ്തിക്കും മററുള്ളവർക്കു കൃതജ്ഞതക്കും അവകാശമുണ്ട്. ഒരു അഭിഭാഷകനെന്ന നിലയിൽ ആരംഭിച്ച ജീവിതം അദ്വിതീയനായ ഒരു രാജ്യതന്ത്രജ്ഞനെന്ന നിലയിൽ എത്തിച്ചേർന്നിരിക്കുന്നു. അതിപ്രശസ്തന്മാരും അഭിഭാഷകപ്രവീണന്മാരും ഒരു ജീവിതകാലംകൊണ്ട് അഭിഭാഷകവൃത്തിയിൽ സമാർജ്ജിക്കുവാൻ സാധിച്ചിട്ടുള്ളതിൽ കൂടുതൽ പാടവവും പ്രശസ്തിയും സർ സി. പി. രാമസ്വാമിഅയ്യർ ഒരു വ്യാഴവട്ടക്കാലത്തിനുള്ളിൽ സമ്പാദിച്ചു. അദ്ദേഹത്തിന്റെ പ്രാഗത്ഭ്യവും ബുദ്ധിശക്തിയും അഭിഭാഷകവൃത്തിയുടെ സീമകൾക്കുള്ളിൽ ഒതുങ്ങിനിൽക്കത്തക്കവിധം ഹ്രസ്വമല്ലായിരുന്നു. തന്റെ പ്രവർത്തനങ്ങൾ അഭിഭാഷകവൃത്തിയുടെ അതിരുകളെ അതിലംഘിച്ച് രാജ്യതന്ത്രപരമായ കാര്യങ്ങളിൽ പ്രവർത്തിക്കുവാൻ തുടങ്ങിയതോടുകൂടിത്തന്നെ അദ്ദേഹം അഖിലലോകപ്രശസ്തി സമ്പാദിച്ചുകഴിഞ്ഞു എന്നു പറയാം. ഭാരതത്തിലെ അദ്വിതീയരാജ്യതന്ത്രജ്ഞൻ എന്ന നിലയിൽ അദ്ദേഹം സമാർജ്ജിച്ചിട്ടുള്ള പ്രശസ്തിയും അദ്ദേഹം ഇൻഡ്യക്കുവേണ്ടി ചെയ്തിട്ടുള്ള മഹത്തായ സേവനങ്ങളും ഭാരതീയർക്കു ഒരു കാലത്തും വിസ്മരിക്കുവാൻ സാധിക്കുന്നതല്ല. ഈ വസ്തുത മഹാത്മാ ഗാന്ധിതന്നെ സമ്മതിച്ചിട്ടുള്ളതുമാകുന്നു. ഇതുപോലെയുള്ള ഒരാളെ തിരുവിതാംകൂറിലെ ഭരണയന്ത്രത്തിന്റെ സാരഥ്യം വഹിക്കുന്നതിനു നമുക്കു ലഭിച്ചതു തിരുവിതാംകൂർകാരുടെ പൂർവ്വപുണ്യപരിപാകം മൂലമാണെന്നു മാത്രമേ പറയുവാൻ നിവൃത്തിയുള്ളു. സർ ടി. മാധവരായർ, സർ രാജഗോപാലാചാരി മുതലായ പല മഹാന്മാരും തിരുവിതാംകൂറിലെ സചിവപദം അലങ്കരിക്കുന്നതിനു ഇടയായിട്ടുണ്ട്. പക്ഷെ അവരാരുംതന്നെ സർ സി. പി. രാമസ്വാമിഅയ്യർ ഈ വഞ്ചിരാജ്യത്തിനു സമ്പാദിച്ചുതന്നിട്ടുള്ളതിന്റെ നൂറിലൊരംശം പ്രശസ്തിയൊ നന്മയൊ നമുക്കു ചെയ്തിട്ടില്ല. വിശ്വവിഖ്യാതമായ ക്ഷേത്രപ്രവേശന വിളംബരത്തിനു തുല്യം ചാർത്തിയ പൊന്നുതിരുമേനിയേയും അതിനു പ്രചോദനം നൽകിയ അവിടത്തെ

സചിവോത്തമനേയും മാനവസമുദായത്തിന്റെ യുഗയുഗാന്തരങ്ങളിൽപോലും ഭക്തിപാരവശ്യത്തോടല്ലാതെ സ്മരിക്കുവാൻ സാധിക്കുമോ? ഭാവനാസമ്പന്നനെന്നല്ലാ സർ സി. പി. രാമസ്വാമിഅയ്യർ ഒന്നാംതരം കർമ്മകുശലനും കൂടിയാണ്. പ്രകൃതി നമ്മെ ഉള്ളഴിഞ്ഞ് അനുഗ്രഹിച്ചിട്ടുണ്ട്. തിരുവിതാംകൂർ വിഭവസമൃദ്ധമാണ്. അസംസ്കൃതസാധനങ്ങൾ ധാരാളമായി ലഭിക്കുന്ന വിളഭൂമിയാണ്. ജനങ്ങളാണെങ്കിൽ ബുദ്ധിശക്തിയിലും വിദ്യാഭ്യാസത്തിലും മററാരേയുംകാൾ കുറവില്ല. ഈ രണ്ടു ശക്തികളേയും കൂട്ടിയിണക്കി തിരുവിതാംകൂറിനെ ഒരു ഒന്നാംതരം വ്യവസായരാജ്യമാക്കി നമ്മുടെ സാമ്പത്തികസ്ഥിതി സമുദ്ധരിക്കുന്നതിനുള്ള മഹാരാജാവു തിരുമേനിയും ആഗ്രഹത്തിന്റെ രൂപം നൽകുന്ന ശില്പവിദഗ്ദ്ധനായ സർ സി. പി. രാമസ്വാമിഅയ്യരും നമുക്കിവിടെയുള്ളത് ഒരു വലിയ അനുഗ്രഹമാണ്.

വിപുലമായ നമ്മുടെ സാമ്പത്തികസാദ്ധ്യതകളെ പ്രവർത്തിപഥത്തിൽ എത്തിക്കുന്നതിനുള്ള നാന്ദിയായിട്ടാണ് ഒരു സർവകലാശാല സ്ഥാപിച്ചത്. പള്ളിവാസൽ വൈദ്യുതപദ്ധതി, ട്രാൻസ്പോർട്ട്, കളിമൺവ്യവസായശാല എന്നുതുടങ്ങിയുള്ള നിരവധി വ്യവസായ പ്രസ്ഥാനങ്ങൾക്കു തിരുവിതാംകൂർകാർ സർ രാമസ്വാമിഅയ്യരുടെ കർമ്മകുശലതയ്ക്ക് എന്നെന്നും കടപ്പെട്ടവരായിരിക്കും. സർവോപരി രാജ്യത്തിലെ സമാധാനത്തിന്നു ഭംഗം നേരിടുവിക്കുവാനായി ഏതോ ചില ഉപചാപകവൃന്ദത്തിന്റെ പ്രേരണയിൽ രാജ്യമാസകലം ഒരു മഹാമാരിപോലെ പൊട്ടിപ്പുറപ്പെട്ട പ്രക്ഷോഭണത്തെ സധീരം എതിരിട്ട് അതിനെ അമർത്തി വീണ്ടും സമാധാനവും ഐശ്വര്യവും സ്ഥാപിച്ച സർ, രാമസ്വാമിഅയ്യരുടെ ധീരതയും രാജ്യതന്ത്രപടുത്വവും അഭിനന്ദനാർഹം തന്നെ.

സർ രാമസ്വാമിക്കു എൽ. എൽ. ഡി. ബിരുദം നൽകിയ സർവകലാശാലയുടെ ഔചിത്യബോധത്തെ അഭിനന്ദിച്ചുകൊള്ളുന്നു. സർ രാമസ്വാമിഅയ്യരെ അദ്ദേഹത്തിന്റെ ഷഷ്ട്യബ്ദപൂർത്തി സംബന്ധിച്ചും അദ്ദേഹത്തിന്റെ ബിരുദലബ്ധി സംബന്ധിച്ചും അനുമോദിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT: Before I put the motions to the House, let me say that I associate myself entirely with all the sentiments that have been expressed on the floor of this House. I think I am voicing the feelings of all the members of the House when I say that we feel that we are in a very happy position in being able to offer Shashtiabdarpurthi felicitations to our President; because, it was not given so far

[Deputy President.]

to any Council or Assembly constituted under the Legislative Reforms Act of Travancore. This Assembly is singularly fortunate in that respect.

I am sure it is still fresh in our minds that the Shashtiabdapurthi of our Dewan-President was celebrated with great enthusiasm throughout the length and breadth of this country, by all classes and communities, by all grades of institutions. The enthusiasm with which the event was celebrated will be evident from the number and variety of the memorials that have been erected and are proposed to be erected in honour of the occasion. Although more than two months have elapsed since those celebrations, I feel that I am right in saying that we, the members of this House, feel as jubilent today over the occasion as every one did during the celebrations which extended over a week.

It is not necessary for me to recount his varied achievements in several fields of activity, as a distinguished lawyer, as a politician, as an administrator, and as a statesman. His achievements in these various fields are of such tremendous magnitude that any citizen of India might look back with pride upon those achievements. I might say that he leaves the impress of his dynamic and powerful personality upon everyone of his great achievements; he always gives every one of them a touch which is so singular that I might call it 'the C. P. touch' or 'the Sachivottama touch'.

We feel it a special privilege to have this opportunity of offering our felicitations to our President; and I join with my friend Mr. Ramakrishna Pillai and the other honourable members of this House in wishing him long life, perfect health and prosperity.

As for the second motion under which this Assembly tenders its felicitations to Sachivottama Sir C. P. Ramaswami Aiyar on the honorary degree of LL. D. conferred upon him by the Travancore University. I do not wish to speak much on that except to say that the Travancore University could not have chosen a better person for the conferment of this high degree; the University—I might say—has honoured itself by honouring such a distinguished person as our President. I think the University has shown very great sense of discrimination in having pitched upon Sachivottama Sir C. P. Ramaswami Aiyar for the conferment of this degree.

I shall now put the motions one after another.

The following motion was put to vote and carried unanimously amidst cheers:

This Assembly respectfully tenders its felicitations to Sachivottama Sir C. P. Ramaswami Aiyar, LL. D., the President of the Assembly, on his 'Shashtiabdapurthi' and wishes him long life, happiness and prosperity.

The following motion was then put to vote and carried unanimously amidst cheers:—

This Assembly tenders its hearty and respectful felicitations to Sachivottama Sir C. P. Ramaswami Aiyar, the President of the Assembly. on the honorary degree of LL. D., conferred upon him by the Travancore University.

The House adjourned for lunch at 1 p. m. and reassembled at 2 p. m.

PRESIDENT : Order, order. I understand that the honourable the Deputy President in relation to certain adjournment motions gave a ruling. As the matter may have given rise to some misconception, I hasten to elucidate the position. Strictly speaking, under our rules leave has to be asked for to make a motion for adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance after question time and if the rule is strictly construed, as soon as the questions are over, honourable members must one after the other get up and ask for leave and the leave would be either granted or refused on the sense of the House taken and the normal procedure would be adopted. But there has been a convention that on the opening day all the adjournment motions are tabled as it would not conduce to public convenience if there is to be the perpetual standing up and asking for leave and dealing with the matter separately without previous notice and time for consideration of the matter by the President. A practice has sprung up of the President dealing with the adjournment motions, to state that he has received such and such adjournment motions such and such are admissible that such and such are not and asking in respect of some whether the member has the leave of the House to move the motion. As it is quite possible that the line adopted by the President this forenoon in not making an announcement as to the receipt of adjournment motions may have misled honourable members and as they may not have been alert to rise and ask for leave to move these adjournment motions, I think the best plan would be for me to waive that rule which requires all adjournment motions to be moved on the opening day and give another chance. I am therefore going to allow honourable members who have given notice of adjournment motions today to adopt the same course tomorrow as they might have done today. I shall deal with the adjournment motions tomorrow after question time.

Order, order. Although for reasons which must be obvious to honourable members of the House I left the House when certain motions regarding me were discussed, it is my duty to acknowledge with sincere thanks the spirit and the manner in which these motions were moved and passed. I wish to thank the honourable members of the House from the bottom of my heart for their sense of comradeship and the conspicuous friendliness and appreciation displayed by them.

MR. M. K. NILAKANTA AIYAR : Sir, it is with great regret that I stand up to announce—

PRESIDENT : The honourable member must ask for leave to make the motion.

MR. M. K. NILAKANTA AIYAR : Sir, I beg leave of the House to move a motion of condolence on the death of Rajyasevanirata Dr. N. Kunjan Pillai.

PRESIDENT : It was purely by oversight that this motion has not been mentioned on the agenda. It is a motion on which the honourable House would like to express its views and I therefore with the leave of the House, permit the Chief Secretary to make the motion.

MR. M. K. NILAKANTA AIYAR: Sir, it is with very great regret that I stand up to announce the death of Rajyasevanirata Dr. N. Kunjan Pillai, which sad event took place last month. The deceased was the leader of this House for over five years and it is needless for me to say how he discharged his duties as leader of the House during this period. His powers of expression, clear understanding, right knowledge of men and things, thorough grasp of details and unswerving loyalty have been amply demonstrated during this period. He was in the best of Health when he left this place for Madras a few days before his death. His death has created a void in the public life of Trivandrum which it is not easy to fill. I move that the House record its sense of deep loss on the sad and sudden death of Rajyasevanirata Dr. N. Kunjan Pillai and convey to the members of the bereaved family the sincere condolences of this House.

MR. S. CHATTANATHA KARAYALAR: In seconding this motion, I wish to associate myself with the sentiments expressed by the Chief Secretary. Sir, Dr. Kunjan Pillai occupied several responsible places in the service of Government and he discharged the duties of those offices with great credit and distinction. As Director of Agriculture and Fisheries as Census Commissioner, as the Land Revenne and Income Tax Commissioner, and as Chief Secretary to Government, he acquitted himself very creditable and the record of his work in those capacities is well known to the honourable members of the House. He was the leader of this House for some years and his work as leader of the House was appreciated on all hands, as deserving of great commendation.

Describing his work as Chief Secretary, Sir, it was said of him that he was an ideal Chief Secretary and this remark was made by no less a person than the present Dewan of the State. No greater compliment could possibly be paid to the Chief Secretary than the compliment by you, Sir.

Even after retirement from Government service, he applied his hand to several activities in social, economic and other fields, and it was his earnest endeavour to make himself useful to the State. It is really very much to be regretted that he was snatched away in the midst of his public work and his death has created a void in the public life of this country; and this House has reason to be very sorry over the death of a great personality. I have great pleasure in seconding the motion made by the Chief Secretary.

MR. KAINIKARA M. PADMANABHA PILLAI: Sir, let me also on behalf of my party and on my own behalf associate myself with the sentiments expressed by the leader of the House and seconded by the Deputy President. I do not think there has been any official in Travancore who has been so long associated with the Assembly as Dr. N. Kunjan Pillai and it will be impossible to remember the various sessions of the old Council and the present Assembly without his magnetic figure naturally drawing itself up before us. Even when he was representing Government as the Director of Agriculture and Fisheries on the Government side he was a power like a fortress and when he was asked to

lead the House as Chief Secretary his powers became useful to Government, in their complete fullness. His official career has been dealt with by the Deputy President. There was a thoroughness of study, there was a fullness of application and enthusiasm that was typical and characteristic of him. Whenever he was placed at the head of any Department and whenever any work was entrusted to him, he went into it with a thoroughness very rarely seen among the officials or non-officials. His will be a figure which will be missed long both by the official and the non-official circles.

After a brilliant official career he was just entering non-official life and the very entrance into non-official life gave a momentum to the non-official life of this country. Of course, I have been associated with him in another capacity as a humble worker of the Nair Service Society of which he happened to be the President for some period. I can say, without any exaggeration, that within three months he managed to give the Nair Service Society a momentum and a volume which it never had. It is also, I think, in the fitness of things that the last picture that he has left before us is the picture of Dr. Kunjan Pillai standing on the northern portico of this same building facing north and pouring out one of the most brilliant pieces of his eloquence in presenting the bust of Sachivottama Sir C. P. Ramaswami Aiyar to the Assembly. It was, I think, one of the best of performances even in Dr. Kunjan Pillai whose performances have always been exceptionally good. The personality that faced us that day and the words, the well-measured words, that dropped from him, weighty, proper and befitting the occasion, I think, will never be forgotten by the person who had the fortune to see him and to hear him on that day. His memory is so fresh, his personality is so fresh in our minds that this Assembly, I am sure, will be unanimous in its feeling of extreme regret, and extreme loss when thinking of Dr. Kunjan Pillai's demise. I support the motion before the House.

The motion that "this House do record its sense of deep loss over the sad and sudden death of Dr. Kunjan Pillai and that this House do convey to the members of the bereaved family their sincere condolences" was put to vote and was carried unanimously, all the members standing.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND III—ADMINISTRATION OF JUSTICE.—Rs. 1675.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move for a grant of Rs. 1,675 for the purpose stated in the list submitted to the honourable members. I may be permitted to offer a few remarks in connection with this matter. The sum of Rs. 800 is needed for the travelling allowance due to the members of the Advocate General's Office and a sum of Rs. 875 for appointing a temporary Government Pleader to conduct the Chengannur riot case in the Quilon Sessions Court. Last

[Mr. Puthupally S. Krishna Pillai.]

year, when the budget was presented, the contingencies that Government have been subsequently called upon to face could not be contemplated. A large number of prosecutions had to be conducted in different centres in the State and for that purpose, the members attached to the Advocate-General's Office, had to be deputed This has involved Government in additional travelling allowance expenses and daily allowances due to these officers.

This was a contingency which was not contemplated. Now bills are pending payment. On a modest estimate it is found that Rs. 80υ would be necessary in addition to the allotment of Rs. 500 granted by this House in last Karkatakam.

As regards the second item, namely, the appointment of a temporary Government pleader to take charge of the ordinary routine work in the Quilon District and Sessions Court, the reason is that the Chengannur riot case has now been committed and posted for trial before the Sessions Court, Quilon. There are 146 witnesses to be examined in that case and also over 200 accused that have been committed for trial. This will evidently take more than 4 to 5 months and one Pleader will have to be engaged throughout the period for the case. There will then be only one Assistant Government Pleader in the Quilon Court, who has to see through both criminal and civil work. The honourable members could realise that one pleader will not be able to cope with that work and therefore an additional Government pleader has to be appointed. It is now proposed to appoint him only for a short period and therefore a sum of Rs. 875 is now demanded.

PRESIDENT: The motion before the House is that Government be granted a sum of Rs. 1675 under Demand III—Administration of Justice for meeting the expenses towards T. A. for the Advocate General's office as well as for the appointment of a temporary Government Pleader to conduct the Chengannur riot case in the Quilon Sessions Court.

The motion was put and carried and the grant made.

DEMAND X.— PUBLIC HEALTH AND SANITATION.

MR. G. NARAYANAN TAMPI: Sir, I rise to move for a grant of Rs. 1000 under Demand X, Public Health and Sanitation. This amount is required for payment of house rent for the private building that has been taken on lease to house the office of the Public Health Director. It was formerly accommodated in a Government building known as the "Church View" bungalow near the vicinity of the Collegiate hostel. Latterly it was required for the University in connection with the organisation of the University Union. Hence it became necessary that the office of the Public Health Director should be shifted elsewhere. No Government building was available just then. A private building which for 11 years accommodated an important office of the State—I mean the Excise Commissioner's office, became available and practically for the same rent with some slight modification under

the terms to the extent of reducing the annual maintenance grant which Government were bearing for years. There was no possibility of anticipating this expenditure at the time of framing the budget last year. There is also the fact that the proposal for starting a University Union matured only from the beginning of this year. A sum of Rs. 1000 is necessary therefore in this connection and I hope the House would sanction the grant.

PRESIDENT : The motion before the House is that Government be granted a sum of Rs. 1000 under Demand X.—Public Health and Sanitation—for payment of rent for the building in which the Office of the Director of Public Health is now housed.

The motion was put and carried and the grant made.

DEMAND XI—PUBLIC WORKS DEPARTMENT INCLUDING WATER WORKS AND DRAINAGE.

MR. M. S. DORASWAMI AIYANGAR : Sir, I move for a grant of Rs. 4,13,767 under the following heads :

(i) Repairs to rain damages to tanks and channels in the Kodayar Project—Rs. 18,900.

(ii) Repairing the buildings at Oolampara for the accommodation of the Armed Reserve—Rs. 17,000.

(iii) Expenditure on account of the P. W. D. Advisory Committee—Rs. 1,860.

(iv) Additional grant for the Water Works and Drainage Scheme in the State Rs. 3,76,007.

I shall now explain the necessity for the grant under each of these heads.

Regarding the restoration and improvement of the tanks within the area commanded by the Kothayar Irrigation Project, a committee was constituted by Government. At the meeting of the committee held at Nagercoil on 16-9-39 they ear-marked the provision of Rs. 25,000 made in the budget for 1115 for certain works which were considered necessary by them. These works will be attended to with the sanctioned allotment of Rs. 25,000. It is now found that to complete works in about 40 different tanks which need repair owing to rain damages of Medom 1114, funds to the extent of Rs. 9,000 are required. Some additional damages were caused to some other tanks during rains of Thulam and Vrischigom 1115 and the estimates are being prepared to carry out these works. It is to meet this expenditure that a provision of Rs. 5,000 is now asked for. Some of the tank-beds have also to be acquired as the restoration of these tanks, are necessary for irrigating ayacut wet lands lying close by. The Government have ordered to acquire the necessary lands on payment of compensation charges. The charges amount to nearly Rs. 4,900. On the whole a sum of Rs. 18,900 is required for repairs due to rain damages to tanks and channels in the Kothayar project area,

[Mr. M. S. Doraswamy Aiyangar.]

With regard to repairing the buildings at Oolampara for the accommodation of the Armed Reserve, I have to point out that the permanent Armed Reserve in the Police Department which consisted of about 140 men was stationed in the Police Head-quarters Owing to the political unrest in the State a temporary reserve of 500 men was additionally recruited out of which about 128 men who formed the General Reserve were also accommodated in the Head-quarters. The accommodation there was found insufficient and congested and hence the reserve men were shifted to the Old Brigade Barracks. Since these buildings are found to be subsequently required for the use of the Travancore University that place has therefore to be vacated and accommodation found for the men in the Government buildings at Oolampara. The buildings there were found to be convenient with certain improvements to the building. As the works were urgent they were carried out and the reserve men shifted there. This has caused an expenditure of Rs. 11,000 and the works to be completed require about Rs. 6,000 more, As these improvements are essential and would render the buildings useful for a longer time, it is proposed to provide a sum of Rs. 17,000.

Regarding the third item, namely, the constitution of the P. W. D. Advisory Committee I may state that the committee has met once and two more meetings are proposed to be held during the year 1115. The meetings are proposed to be held in Trivandrum. A sum of Rs. 1,800 is necessary for meeting the expenditure under T. A. to members and another sum of Rs. 60 towards contingencies of the Convener's Office. This accounts for the grant asked for of Rs. 1,360.

As regards the last item I may state that Rs. 3,70,007 is needed for distribution to the various works in progress in connection with the several water supply schemes. The resent allotment of Rs. 82,876 for the Alleppey Water Works would be sufficient only for the discharge of the liabilities incurred on account of supply of pipes and fittings made and work done during last year and will not admit of taking up the necessary remaining works for the completion of the scheme this year itself. The Alleppey Water Works Sub-Division with the two Section Offices and their staff has been sanctioned only for the first six months of the year. It is now seen that it will take practically the whole of the year to complete the scheme and therefore a sum of Rs. 1,08,009 is required in addition for continuing the staff for the rest of the year and also to completely pay up the liabilities that has already been incurred in that connection.

MR. PADIYARA JOSEPH KUNJU : അഡ്വൈസറി ബോർഡിന്റെ ആലോചനയോടും അറിവോടും സമ്മതത്തോടുംകൂടിയാണോ ഈ ധനാഭ്യർത്ഥന കൊണ്ടുവന്നിട്ടുള്ളത്?

MR. M. S. DORASWAMY IYANGAR : These were not brought before that board.

MR. PADIYARA JOSEPH KUNJU : അതു് എന്തുകൊണ്ടാണെന്നു പ്രസ്താവിക്കുവാൻ ദയവുണ്ടാകുമോ?

MR. M S. DORASWAMY AIYANGAR : The advisory board was set up for the year 1115.

MR. PADIYARA JOSEPH KUNJU : ആംഡ് റിസർവ്വിനെ ഭാരതാഗ്രുപത്രിക്കട്ടെന്നു കൊണ്ടുപോകുന്നതിനു പ്രത്യേകം വല്ല കാരണവുമുണ്ടോ?

MR. M. S. DORASWAMI AIYANGAR : No, Sir. For works in connection with the Alleppey Water Supply a provision of Rs. 8,000 is necessary for the continuance of the sub-division with the existing staff as also Rs. 1,00,000 for works in connection with the above project. Similarly with regard to the water supply project at Shencottah.

A sum of Rs. 18,000 out of Rs. 37,293 has to be set apart for paying certain liabilities which had unavoidably to be carried over to 1115. That relates to payments outstanding to certain companies for supply of fittings etc. To meet the expenditure under item "Works" an additional grant of Rs. 18,007 is needed.

The budget provision for the Nagercoil Water Supply is nearly Rs. 3,40,000 out of which a sum of Rs. 65,200 had to be adjusted on account of payments expected to be made in 1114 and consequently not provided for in the Budget for 1115. Under these circumstances the balance available is inadequate to maintain satisfactory progress of the works. Therefore a sum of Rs. 2,50,000 under the head 'Works and Tools and Plant' is necessary for the consolidation of works as well as for other items. On the whole the amount needed is Rs. 4,13,767. Out of this Rs. 3,76,000 is needed for the Water Works and Drainage schemes now in progress in the State.

MR. M. SIVATHANU PILLAI : Under what items payments for Water Works during last year have to be made this year at Nagercoil ?

MR. M. S. DORASWAMI AIYANGAR : The amount incurred for the high level reservoir has not been paid.

MR. M. SIVATHANU PILLAI : May I know the amount required for that purpose ?

MR. M. S DORASWAMI AIYANGAR : Nearly Rs. 44,000

MR. M. SIVATHANU PILLAI : Is there any other item for which payment has to be effected ?

MR. M. S. DORASWAMI AIYANGAR : It is the only item of liability for the last year.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know from the member whether under Article 244 of the Account Code he has submitted the surrender report at the end of last year ?

MR. M. S. DORASWAMI AIYANGAR : I want notice to answer that question.

PRESIDENT : This is not question time.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know from the Chief Engineer what was the amount which the department could have surrendered under that Article at the end of last year :

MR. M. S. DORASWAMI AIYANGAR : A sum of Rs. 74,000 was I believe, surrendered last year.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know from the Chief Engineer what was the amount saved at the end of last year out of the aggregate final grant sanctioned for last year?

MR. M. S. DORASWAMI AIYANGAR : Rs. 75,000.

MR. M. SIVATHANU PILLAI : May I know for what purpose the rest of the amount is now asked for?

MR. M. S. DORASWAMI AIYANGAR : For purification and filteration plants.

	Rs.
Power House	57,200
	37,200
House distribution system	59,800
Providing roads	50
Completion of plants	2,500

MR. M. SIVATHANU PILLAI : Am I to understand that in the coming year he will be able to purchase the complete pumping plants and also the special fumigating plants?

MR. M. S. DORASWAMI AIYANGAR : This is not the total amount of the estimate.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: What was the total amount of the supplementary grant obtained by the department last year?

MR. M. S. DURASWAMI AIYANGAR : I am not in a position to answer the question now.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI May I know whether he is aware of any amount being obtained by the department under this item, supplementary grant, last year?

MR. M. S. DORASWAMI AIYANGAR : I am not in possession of that information now.

MR. KANNANTHODATH JANARDANAN NAIR : A point is raised by Mr. Padiyara Joseph kunju whether the Advisory Committee was consulted in the matter of supplementary grant. As a member of that Committee, with your permission, I think I can explain the position of the Committee as regards that point.

PRESIDENT : I do not quite follow the honourable member, What does the Honourable member want?

MR. KANNANTHODATH JANARDANAN NAIR : I am seeking your permission for the explaining the position of the Advisory Committee with regard to the supplementary demand.

PRESIDENT: I have no ruling to give on that point. If the rules permit, that may be put forward as part of his speech. How does the honourable member expect the President to give a ruling on this point?

MR. T. C. KESAVA PILLAI: I rise to a point of order.

ഒരു മെമ്പർ എന്നുള്ള നിലയ്ക്കാണോ അതല്ല ബോർഡിലെ കാര്യങ്ങളും ഇവിടെ പ്രസ്താവിക്കുന്നതിനുള്ള അവകാശത്തോടുകൂടിയാണോ സംസാരിക്കുന്നത്?

MR. KANNANTHODATH JANARDANAN NAIR; Not that I require a ruling on the point. Because I am neither supporting nor opposing the demand. I was seeking the permission of the chair to make a statement. When the Committee met last time, the question of the supplementary grant was taken up. Then the Chief Engineer said that we had no power to go into the question and that the supplementary demand was put before the Committe only as a matter of courtesy. My colleague, Mr. Balakrishnan Tampi and myself said that we never wanted to discuss the matter unless it came up for discussion as a matter of right. The reply the Chief Engineer gave was that the G. O. constituting the Committee did not include this power. But our position was that as the G. O. constituting the Committee did not exclude the supplementary demand, we were entitled to discuss it. But as we did not know our actual position according to the G. O., we never discussed the matter. So the supplementary demand has come up here without either the assent or the dissent of the Committee.

MR. M. SIVATHANU PILLAI: With regard to this motion I wish to make a few observations. As regards the first item of the demand, "Repairs to rain damages to tanks and channals in the Kodayar Project—Rs. 18,900." I wish to inform the department and the House that this sum is not at all sufficient if there is any real desire to restore the channels and tanks under the Kodayar Project as well as tanks in the uncommanded area. It is true that the Irrigation Committee constituted by the Government in respect of the Nagercoil Irrigation Division held three or four meetings at Nagercoil and recommended over 20 items of restoration of tanks which were absolutly necessary of which not even a single item has been taken up and completed (for want of funds) so much so I believe that this sum of Rs. 18,900 will not be sufficient to meet the requirements of the situation. But here is an attempt only to repair the rain damages to tanks, apart from the restoration of tanks, which have become silted up on account of the absence of any restoration work being taken up for the last so many years. As an instance, I may say that a big tank covering 60 or 70 acres (in Chempakaramanputhur Pakuthy) which irrigates agricultural lands has been silted up even up to the level of the bund and not more than 12,000 gallons of water at present cannot be held in it. What I say is that the supplementary grant of Rs. 18,900 is not sufficient for the purpose for which it is sought.

MR. DOMINIC JOSEPH: Sir, I rise to a point of order. Is any honourable member entitled to ask for an additional amount than what is asked for?

PRESIDENT: No.

MR. M. SIVATHANU PILLAI: With regard to the water works at Nagercoil, it may be within the memory of some of the members of this House that when it was started it was assured by Mr. Balakrishna Rao that the work will be completed in two and a half years time. He also gave very good reasons for that. But unfortunately, though it is now four years since the work is started, I am not at all satisfied with the progress that has been made with regard to the water works in Nagercoil It may not be known to most of the members of this House that there is a liability on the part of the Municipality at Nagercoil to contribute fifty per cent of the total expenditure. It is here I am more anxious than any body else, representing as I do the Municipal Council, that this work should be completed as early as possible. It is now over four years since the work was started and I can say that the work is not even 25 per cent finished. It is true that there is the high level reservoir which has been completed. It stands there as a monument for the slackness of the work of the department. Only a reservoir alone is to be seen and that from a distance of 15 or 20 miles. But no work is progressing there. The pipe line could have been completed by this time. You will find on the left side of the Balamore road huge trenches. They have been allowed to remain there for the last 7 or 8 months. It is a nuisance not only for the Government Transport buses but also for private cars to take that route. There is an absence of the earnestness on the part of the department to see that the works are expedited. I do not see any reason why there should be so much delay in the matter of putting cement pipes and cover the trenches so that the traffic may not be obstructed. That is one aspect of the whole question in which the department should be asked to give a proper explanation.

Secondly, with regard to the low level reservoir. I understand definitely that a contractor has been asked to take up the work. The contractor goes on with the work. Who pays the money? The local maistry advances the money. By the time work is finished for 300 rupees or so, measurement is taken for the work so far completed, bill is passed, the maistry takes his share of the bill. Then again work is started with the next instalment of loans advanced by the maistry. That is how the contractor is going to complete the work of the low level reservoir. Now with regard to establishment. At the time it was started, one Water-Works Executive Engineer was appointed to supervise the water works at Shencotta as well as the work at Nagercoil. The Executive Engineer has his Division office at Nagercoil. In order to supervise the work in Shencotta he went all the way from Nagercoil to Shencotta and in order to supervise the work at Nagercoil he comes down from Shencotta. So the T. A. at the end of the year is apportioned between the Water works at Shencotta and those at Nagercoil. Afterwards, the work at Shencotta was taken away from the supervision of the Executive Engineer at Nagercoil. Now the whole of the T. A. has to be shared by the Municipality. Lately, the Executive Engineer has been transferred. I may also draw the attention of the Government to this. When he was supervising the water

works at Nagercoil, he was given another charge also, to investigate the scheme at Perinchani. So his establishment charges were apportioned between the Perinchani scheme and the Nagercoil water works. The Perinchani Scheme was investigated by the Executive Engineer who has now been transferred. There is no Executive Engineer at present for Water Works at Nagercoil. I understand that the Government proposes to have one in Nagercoil. My submission is that there is absolutely no necessity for an Executive Engineer for water works for Nagercoil. If one is appointed it will only be an unnecessary expenditure on the part of Government and unnecessary liability on the Municipality of Nagercoil. Already four and a half years have elapsed since the work was started and it is my view that unnecessary expenditure should not be incurred in the name of appointing another Executive Engineer for Water Works Division at Nagercoil. So, what I submit is this. The scheme has been prepared and the works started and the further progress of the work can be supervised by the water works Sub-Division Officer and controlled by the Executive Engineer Southern Division. So, there is, I submit, again, absolutely no necessity for a separate Water Works Executive Engineer for Nagercoil whose appointment will be only an additional burden of expenditure not only for Government but also for the Municipality. The Supervising work can be entrusted practically with the Division Officer, P. W. D. stationed at Nagercoil.

There is another ground, Sir, for the transfer of this work to the Division Officer. At present the Nagercoil Division Officer has been deprived of authority or jurisdiction over the main southern road. Without that, the Division Officer has nothing more to do except in the matter of looking after a few irrigation works here and there. So much so, the Executive Engineer at Nagercoil has not enough work to engage his full time which otherwise would be the case. Now he has much less work. So, the Executive Engineer of the southern division may be asked to supervise the water works also. In other words, I may briefly submit that there is absolutely no necessity for a separate Executive Engineer for water works in the place of the one who has been transferred from there and the Executive Engineer for the southern division may be entrusted with the work of supervising the water-works for the simple reason that the regular Executive Engineer for the Southern Division has got less work by virtue of the G. O. depriving him of his jurisdiction over the main southern road. Secondly, in as much as 4 years have elapsed since the work was started there is no necessity for a separate high paid officer like an Executive Engineer to supervise the water works at Nagercoil. Thirdly, the supervision of the water works and the other works of the Southern Division and the investigation of the Perinchani Reservoir scheme can be entrusted to one Division Officer—of course a competent Division Officer.

PRESIDENT : Order, order.

MR. T. C. KESAVA PILLAI : Sir, on a point of order.

PRESIDENT : Does the member want to say that competency is not needed ?

MR. T. C. KESAVA PILLAI Sir, I want to know whether the existing Division Officer is competent or incompetent.

MR. M. SIVATHANU PILLAI: Sir, it is a matter of opinion and I reserve it for myself. If the Government would accept my proposition as reasonable they would not waste their money as well as ask the Municipality to waste their money on the salary of the Executive Engineer to be appointed exclusively for this work. In other words the one Executive Engineer who is already there is quite sufficient to supervise the three types of works, *viz.*, to supervise the water-works, the regular Division works and the investigation of the Perinchani Reservoir—and I understand that the investigation of the Perinchani scheme has passed its preliminary stage and that has been handed over to the next man in charge. I also urge upon the attention of the Chief Engineer the necessity for expediting the water work as there is absolutely a lull so far as this work is concerned. I can show anybody who desires to go and satisfy himself by seeing the work on the spot that the work already done is not at all satisfactory. So it behoves on the part of the Government to see whether they could not expedite the work.

Secondly, I want to point out that the pumping plant—

MR. C. V. CHANDRASEKHARAN: Sir, on a point of order. Can the honourable member be allowed to go on repeating himself?

MR. M. SIVATHANU PILLAI: Sir, the repetition is meant to emphasise the point so that the Chief Engineer may be well impressed with it and go into the problem seriously.

Then, with regard to the pumping plant and filteration plant for the purchase of which the Chief Engineer wants money. Sir, I am given to understand that these plants could not be had at present on account of war. If it is found difficult to get these machineries down, I would suggest that the Town Distribution scheme may be completed and arrangements may be made to pump out water from a neighbouring tank for supply in the town so that the Municipality may proceed with the preliminaries connected with water supply as early as possible. Sir, I say this because the Municipality has been asked to bear half the establishment charges, which they cannot afford.

PRESIDENT: Order, order. The honourable member is entitled to speak in detail on the necessity or otherwise of the grants asked for. But he cannot bring forward arguments for augmenting the revenue of the Municipality.

MR. M. SIVATHANU PILLAI: Sir, I want only to put the question plainly before the House so that the House may be able to understand how far the Municipality has been unnecessarily made liable for the expenditure which could be avoided. It is only intended at least for the sake of humane consideration of the Chief Engineer to take into consideration whether he could not exercise sufficient drive on the officers concerned in view of the slow progress of the work. With these words, and expecting that the Chief Engineer would answer my three points, I resume my place.

MR. M. R. NARAYANA PILLAI: Sir, I want to make only a few observations with regard to this Demand. When the budget was passed a few months ago the Financial Secretary announced a surplus of more than a lakh of rupees. I wonder how this Demand can be met and how the House can vote for it unless Government are prepared to spend the money out of their capital. When there is just over a lakh of rupees as surplus it is quite un-understandable to bring forward such a supplementary Demand. The Financial Secretary was paid glowing tributes for showing a paper surplus of a lakh of rupees. Here is the Chief Engineer asking for a Supplementary grant of over 4 lakhs. My view on this may be right or wrong but it is high time for enlightened Travancore to budget their amounts more intelligently.

MR. T. C. KESAVA PILLAI: ഈ ഗ്രാൻറിനെപ്പററി പല എതിർവാദങ്ങളും എൻെറ മാന്യസ്നേഹിതന്മാർ ഇവിടെ പ്രസ്താവിക്കുകയുണ്ടായി.

ബഡ്ജററ് രൂപീകരണവിഷയത്തിൽ ഫിനാൻഷ്യൽ സെക്രട്ടറി അവർകൾക്ക് ടെക്നിക്കലായി ചില തെററുകൾ പററിയിട്ടുണ്ടെന്ന് ഇവിടെ പറഞ്ഞുകേട്ടു. ഡിപ്പാർട്ടുമെൻറു മേധാവികൾക്ക് പററിയിട്ടുള്ള തെററുകളെപ്പററി മി. ശിവതാണുപിള്ളയും ഇവിടെ പ്രസ്താവിക്കുകയുണ്ടായി. നെയ്യാററിൻകര, വിളവങ്കോട്ട് എന്നീ താലൂക്കുകളിൽ പല സ്ഥലത്തും കൃഷിച്ഛേതം ധാരാളമായി ഉണ്ടായിട്ടുണ്ട്. ഇപ്പോൾ അതിവർഷം ഉണ്ടായി എങ്കിലും കൽക്കുളം വിളവങ്കോട്ട താലൂക്കുകളിൽ കരിവാണ് എന്നു പറഞ്ഞാൽ ഞാൻ കളവുപറയുകയല്ലേ എന്നു പലരും വിചാരിച്ചേയ്ക്കാം. എന്നാൽ പരമാർത്ഥം അങ്ങനെ തന്നെ. തെക്കൻതിരുവിതാംകൂറുകാർ കൃഷിപ്പിഴയെപ്പററി എപ്പോഴും മുറവിളി കൂട്ടിക്കൊണ്ടിരിക്കുന്നുണ്ട്. അതുകൊണ്ട്, പെരുഞ്ചാണി പ്രോജക്ടിനെപ്പററിയുള്ള അന്വേഷണം പൂർത്തിയാക്കി ഉടനടി ബഡ്ജററിൽ പണമനുവദിച്ചു വേണ്ടതു പ്രവർത്തിക്കണമെന്നു ഞാൻ പ്രാർത്ഥിച്ചുകൊള്ളുന്നു. കുറെ ചൂടു കുറവുള്ള ഒരാളാണു ഇന്നത്തെ ഡിവിഷൻ ആഫീസർ എങ്കിലും അദ്ദേഹം കുറേക്കൂടി ചൊടിയോടെ ഒരു റിപ്പോർട്ടു ദ്രുതഗതിയിൽ അയയ്ക്കുന്നതിനു വേണ്ടതു പ്രവർത്തിക്കുമെന്നു വിശ്വസിക്കുന്നു.

MR. PADIYARA JOSEPH KUNJU: ചൂടു കുറഞ്ഞയാൾ എന്നു പറഞ്ഞതു് എന്തു് ഉദ്ദേശത്തോടുകൂടിയാണ്?

MR. T. C. KESAVA PILLAI: അതിനെപ്പററി മെമ്പർ ഉദ്ദേശിച്ചതിൽ കൂടുതലായി ഞാൻ ഒന്നും ഉദ്ദേശിച്ചിട്ടില്ല.

MR. PADIYARA JOSEPH KUNJU: എന്തുദ്ദേശത്തോടുകൂടിയാണു മെമ്പർ അങ്ങിനെ അഭിപ്രായപ്പെട്ടിട്ടുള്ളതു്?

MR. T. C. KESAVA PILLAI: ഉദ്ദേശം പലതരത്തിൽ ഉണ്ടായിരിക്കും.

MR. PADIYARA JOSEPH KUNJU: പ്രത്യേകമായ ഉദ്ദേശം ഒന്നുമില്ലയോ?

MR. T. C. KESAVA PILLAI: ഇല്ല.

MR. PADIYARA JOSEPH KUNJU: പൂടില്ലാ എന്നു പ്രയോഗിച്ചതിൻെറ അർത്ഥം എന്താണു?

MR. T. C. KESAVA PILLAI: സ്മാർട്ട് എന്നും കാൺഷിയൻഷ്യസ് എന്ന അർത്ഥം ഉദ്ദേശിച്ചാണ് ഞാൻ പറഞ്ഞിട്ടുള്ളതു്.

അതുകൊണ്ടു് പെരുഞ്ചാണി പ്രോജക്ടിനെക്കുറിച്ചുള്ള സംഗതികളിൽ ഉടനടി വേണ്ടതു പ്രവൎത്തിച്ച് തെക്കൻ തിരുവിതാംകൂറിലുള്ള കർഷകരെ രക്ഷിക്കണമെന്നു ഞാൻ ഈ സഭാസമക്ഷം ഒന്നുകൂടി അഭ്യൎത്ഥിച്ചുകൊള്ളുന്നു. തുച്ഛമായ തുക അനുവദിച്ചാൽ പോരാ. കൂടുതൽ പണം അതിലേക്ക് അനുവദിക്കണം. ഇപ്പോഴത്തെ ഇറിഗേഷൻ ബോർഡു ആണ്ടിൽ ഒരിക്കൽപോലും കൂടുന്നില്ല. ഇങ്ങനെയൊരു ബോർഡു വച്ചുകൊണ്ടിരിക്കുന്നതുകൊണ്ട് അവിടെ യാതൊരു പ്രയോജനവും സിദ്ധിക്കുകയില്ല. അതുകൊണ്ട് ഒന്നുകിൽ ഈ ബോർഡിനെ നിറുത്തണം. അല്ലെങ്കിൽ ഇറിഗേഷൻ പദ്ധതികളെ സംബന്ധിച്ചു ജനങ്ങൾക്കു വേണ്ട ഉപദേശം നൽകത്തക്ക രീതിയിൽ കമ്മിററിയെ ഉൎജ്ജിതപ്പെടുത്തുന്നതിനു ചീഫ് എൻജിനിയർ അവർകൾ ശുപാർശ ചെയ്യണം. ഇങ്ങനെയുള്ള സംഗതികളെ സംബന്ധിച്ചു ദിവാൻജി അവർകൾ ഉടനടി വേണ്ടതു പ്രവൎത്തിക്കേണ്ടിയിരിക്കുന്നു. ഈ അസംബ്ലിയിലെ വാദപ്രതിവാദങ്ങൾ മഹാരാജാവു തിരുമനസ്സിനുകൂടി നേരിട്ടു കേൾക്കത്തക്കരീതിയിൽ ഇവിടെനിന്നും കൊട്ടാരംവരെ ഒരു കമ്പി ഘടിപ്പിച്ചാൽ ഞങ്ങളുടെ സങ്കടങ്ങൾക്കെല്ലാം ഉടനടി പരിഹാരം ലഭിക്കുമായിരുന്നു. തെക്കൻതിരുവിതാംകൂറിലെ കർഷകരുടെ സങ്കടത്തിനു് ഉടനടി പരിഹാരമുണ്ടാക്കണമെന്നുള്ള അഭ്യൎത്ഥനയോടുകൂടി ഈ പ്രമേയത്തെ എതിൎക്കുന്നതിനുള്ള ഒരു മനസ്ഥിതിയാണ് എനിക്കുള്ളതെങ്കിലും ഞാൻ പിൻതാങ്ങുന്നു.

The question that Government be granted a sum of Rs. 4,13,767 under Demand No. XI—Public Works Department including Water Works and Drainage under the head referred to in the printed paper before the House was put to vote and carried and the grant made.

MR. M. S. DORASWAMI AIYANGAR: Sir, I beg leave to move for a grant of Rs. 20,000 for completing P. W. D. Works under progress in

the Ceramic Factory at Kundara. Sir, in moving this demand, I make the following observations to show how this Rs. 20,000 was arrived at. The following items of work required additional grants:

		Rs.
1.	Staff quarters	6,400
2.	Flush out latrines	2,400
3.	Final bill for earth-work levelling factory site	1,500
4.	Roads within the factory	2,200
5.	Drainage works	600
6.	Balance earth-work in levelling site	'850
7.	Iron bands, fire lining to the chimney etc.	600
8.	Petty supervision adjustment etc.	1,500
9.	Police Out-post	3,950
	Total	20,000

These amounts are necessary to complete the work and open the factory. I beg leave to move———

MR. KAINIKARA M. PADMANABHA PILLAI: Will the honourable member kindly explain why these items could not have been anticipated in the budget?

MR. M. S. DORASWAMI AIYANGAR: These items were not definitely known at the time the budget was prepared Only lump sum grants were given and the final stage of each of these estimates has not been completely got at the time of the last budget.

MR. KOCHUKORATHARAKAN: ചിമ്മിനിയുടെ ജോലി പി. ഡബ്ള്യു ഡിപ്പാർട്ടുമെന്റു ചെയ്യിക്കയാണൊ ?

MR. M. S DORASWAMI AIYANGAR: It is partly by the P. W. D. and partly by the Ceramic Factory.

MR. KOCHUKORA THARAKAN: ചിമ്മിനിക്കു കേടുപററി എന്നൊ മററൊ കേട്ടതു വാസ്തവമാണോ ?

MR. M S. DORASWAMI AIYANGAR: There are some cracks.

MR. KOCHUKORA THARAKAN: അതു സായിലിന്റെ ദോഷംകൊണ്ടാണോ അതല്ല ഡിപ്പാർട്ടുമെന്റിന്റെ അറിവില്ലായ്മകൊണ്ടൊ എന്തു കൊണ്ടാണ് സംഭവിച്ചതു് ?

MR. M. S. DORASWAMI AIYANGAR: There is absolutely no difficulty regarding the foundation or the soil in which the chimney has been built. The cracks have probably occurred on account of the want of air space between the main structure and the inside lining.

MR. KOCHUKORA THARAKAN: കൺസ്ട്രക്ഷൻ സ്കീം ഉണ്ടാക്കിയതു് അബദ്ധമാണെന്നാണോ വിചാരിക്കേണ്ടതു് ?

MR. M. S. DORASWAMY AIYANGAR: This was not anticipated at the time the estimate was prepared.

MR. KAINIKARA M. PADMANABHA PILLAI: Sir, I don't wish to stand in the way of Government's spending money for any necessary piece of work, but I think it is high time that we pointed out to the Dewan-President that the practice of bringing supplementary demands is becoming rather too much of a fashion with several of the Departmental Heads. This time, the P. W. D. itself is making a demand of about Rs. $4\frac{1}{2}$ lakhs. As one of the honourable members pointed out, there must be something wrong in budget making or some thing wrong in the estimate prepared by the departmental heads or something wrong somewhere else which is not known to the departmental heads or to the Financial Secretary. The only justification for supplementary demand is and can be that the necessity for this amount could not be anticipated at the time when the budget was prepared. I remember on previous occasions the departmental heads, whenever they brought a demand for supplementary grant had at least the courtesy to explain to us how the particular item could not be anticipated at the time of the budget and how it arose subsequently. But, now it has become so much a matter of course that the demands are placed before the House even without an attempt to make an explanation why this was not included in the budget. I think this is scant courtesy shown to the House and I would request the Dewan-President to minimise this as far as possible and to allow such a practice only when it is absolutely necessary.

PRESIDENT : Mr. Financial Secretary, have you got anything to offer?

MR. M. GOVINDA PILLAI: Sir, it will be found from almost all the items of the supplementary demands that these items could not be anticipated at the time of the preparation of the budget. Even under item XI, you will find that the first three items could not have been contemplated at the time the budget was prepared, In regard to item No. IV, it was due, I admit, to a defective estimating by the department. But it is inevitable that when items of expenditure not contemplated at all at the time of the budget estimate arise for consideration, supplementary grants should be moved before the House for their sanction.

MR. KAINIKARA M. PADMANABHA PILLAI: Is it a new work or an old one?

MR. M. GOVINDA PILLAI: It was thought at the time the budget was prepared that this item was not necessary. But the Chief Engineer has now brought to the notice of the Government that additional expenditure is necessary and Government are convinced that these demands are necessary.

PRESIDENT: There is no doubt that so far as item No. IV in Grant XI is concerned it is to a certain extent the combined fault of Government in the Financial Department and the Public Works Department. There is no getting away from that fact and it is explained and can be explained only on that basis. Government will naturally see that when supplementary grants are moved they are moved rather only for essential purposes and mainly when unexpected items are forthcoming. That matter will be kept in mind.

MR. M. L. JANARDANAN PILLAI: May I know whether these items can be considered as new budgetory services ?

MR. M. GOVINDA PILLAI: These are not new services.

MR. T. C. KESAVA PILLAI: യുദ്ധം നിമിത്തം സാമാനങ്ങളുടെ കൂടുതൽ വന്നിട്ടുള്ള ആവശ്യത്തിനാണൊ ഈ ചിലവ്?

MR. M. GOVINDA PILLAI: No, Sir.

PRESIDENT: It is not so.

Mr. Chief Engineer, have you got anything to say ?

MR. M S. DORASWAMY AIYANGAR: Sir, I have nothing to say except to state that this additional grant for the Water Works has been rendered necessary

PRESIDENT: No, we have gone past that.

MR. M. S. DORASWAMY AIYANGAR: Well, I have nothing to add.

PRESIDENT: The remarks fallen from the honourable member should be borne in mind in moving for supplementary grants.

The question that Government be granted a sum of Rs. 20,000 under Demand No. XV Industries including Clay Refining and Porcelain Factory was put to vote and carried.

The grant was made.

DR. S KAMESAM: Sir, I rise to move for a grant of Rs 46,705 under Demand XX—Forests (including Director of Development).

Before I discuss the necessity for the various allotments that I have asked for, I might explain why these items have been asked for as supplementary demands. The first of these is the construction of a building for housing the proposed Sports Factory at a cost of Rs. 3,500. This question came up for consideration only recently. There was considerable correspondence going on between this Department and several Sports Goods Manufacturing concerns who were prepared to open a factory in the State. It was only very recently that we were able to come to an understanding with a well known company in Sialkot for their putting up a factory in Travancore. This item was solely unanticipated during the time of the budget estimate.

As regards the second item, *viz.*, purchase of machinery for the Development Department at a cost of Rs. 11,205, we had placed orders for these machinery even during the last financial year, but we did not get any reply as regards the delivery date from the firm to which we have written. We were not sure whether we will be able to get the orders fulfilled. So that the money lapsed, hence, the occasion for asking this demand arose in a supplementary grant.

The third item relates to additional funds for the Development Department for the purchase of Ascu chemical etc., at a cost of Rs. 4000. We had budgetted for a certain amount of Ascu chemicals, but the Electrical and Telephone Departments asked for about ten or eleven thousand poles after the last financial year and for this we had to obtain chemicals. We have already ordered for Rs. 8000 worth of chemicals from a German firm which promised to give it before the end of the financial year. But they did not deliver and so the money lapsed and that is the occasion for this being asked in a supplementary grant.

[Dr. S. Kamesam.]

In regard to the fourth item Government had to consult the P. W. D. and other departments regarding the location of the various bridges on the rural high ways. No information was available at the time of the last financial year as to how many bridges would be required to be put during the next year and it is for that reason that I have been obliged to ask this amount in the form of a supplementary grant.

Coming to the first item, ever since I came here,—that is about two years ago—one of the first things that struck me was the possibility of the development of the sporting goods industry, that is, the manufacture of tennis rackets, badminton rackets etc. At present, in the whole of India, there is only one place, Sialkot in the Punjab, where sports goods are manufactured. Soon after I came here I started preliminary experiments to investigate the suitability of Travancore timber for the manufacture of tennis and badminton rackets. Those experiments showed the promise that some of our timber would be very useful. I sent some of the samples of such timber to two or three leading Sialkot firms; and they were able to manufacture excellent sports goods out of our samples.

As a result of such preliminary endeavours, I started correspondence with such of those firms in Sialkot as had already gained reputation for the high quality and finish of their products with a view to see if the manufacture of sports goods could not be introduced as a cottage industry in Travancore. The necessary background for that has to be created so that our workmen could be attracted to the industry. I requested some of these firms at Sialkot to let me know their terms to establish their own factory in Travancore for the manufacture of sports goods out of Travancore timber, with Travancore men as far as possible. The most reasonable terms were those offered by the Northland Sports Works which is well known in this line not only in India but also in Europe and America. Those terms of theirs were carefully scrutinised by Government. Under these terms we propose to give them a shed for their use for five years; they have to bring their own machinery and skilled workmen; they have also to train Travancoreans in the industry. And they have agreed to sell the products of the factory at a price not exceeding 95 per cent. of the current prices in the local market. They allow Government 10 per cent. of their net profits. Of course, Government also have agreed to grant them certain concessions; we will supply them timber and power at concession rates. They wanted protection in the shape of an import duty on sports goods to be imported into Travancore; and they cited the instance of the Kashmir Government, where the Government have put up a factory at a cost of Rs 40,000 and levied an import duty of 40 per cent. All that we propose to do is to allow them free use, for five years, of a shed which is estimated to cost Rs. 3,500.

I feel, Sir, that if this opportunity is lost, it would be very difficult for us to be able to pursuade any other firms of reputation to start a factory here.

MR. M. JANARDANA PILLAI : May I ask whether the firm is not to be indemnified against losses during the first few years?

DR. S. KAMESAM : As I have already stated, the firm asked for some kind of protection in the shape of an import duty; that, we declined. However, in lieu of that, we have promised to indemnify them against their losses, up to Rs. 3,000 in the first year, Rs. 2,000 in the second year and Rs. 1,000 in the third year; that is all. Unless we assure them some sort of protection, where is the incentive, I ask, for a firm up in Sialkot, to come down to Travancore with their own machinery and men, and to train our men in the industry? It will be to the credit of Travancore if a factory is started here. The Travancore artisan, I find, is so capable that he will very easily pick up the industry, so that when, after five years, the Sialkot factory automatically disappears from here, we shall be having a very potential cottage industry of considerable importance and great usefulness.

MR. P. SIVARAMA PILLAI (*Minachil cum Todupuzha*) : Will they be paying us any rent for the shed?

DR. S. KAMESAM : No; but the shed will not be their property; they will be entitled to the free use of the shed for five years.

As regards item No. (ii), namely, purchase of machinery, the three machines that we want are the glue-spreading machine, the rotary veneering machine and the sanding machine. Sir, a great deal has been talked about here, and several proposals have been made to Government, regarding the establishment of a plywood factory in Travancore. Most of our timber suitable for the manufacture of cheaper kinds of plywood, is already fetching us such a good price that it would not be paying if we manufacture cheaper quality plywood out of them. Then, there are other timber about the peeling, and other technical characteristics of which we do not yet know anything; it is necessary to carry on systematic, scientific preliminary investigations into their technical properties. It is for that purpose that the three machines are needed. After experiments and investigation with the help of these machines, it is hoped that we shall be able to switch on to the commercial utilisation of some of our good timber for which, so far, we have had no use; it is hoped that superior quality of plywood can be manufactured out of such timber.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Will the honourable member be pleased to give us details about what he calls 'rural bridges'? Are they to be supplied free of cost?

DR. S. KAMESAM : I shall come to that; that is item No. (iv), I have just finished item No. (ii).

Item No. (iii) relates to Ascu chemicals. As I have already stated in my preliminary remarks, about Rs. 9,000 worth of these chemicals were ordered last year the order was placed with a German firm, and we expected the chemicals to arrive before the expiry of the last financial year; but we were disappointed, and the budgetted amount lapsed. Hence the present demand.

MR. M. SIVATHANU PILLAI: Is the member aware that, since the Dewan-President's announcement in this House that Dr. Kamesam was able to secure Rs. 1 lakh for his ascu, pamphlets in the form of circulars have come out, both in British India and here, to the effect that ascu treatment is all a hoax and bluff without absolutely any scientific basis or value?

PRESIDENT: This kind of discussion may be started after Dr. Kamesam has moved the motion and finished his remarks. It is the intention of the Chair to allow fairly full discussion on all such matters. It is true that there is considerable amount of misconception and misunderstanding about the work of this Development Department and its programme, so that I have come to the conclusion that it is well that such misconception should be cleared at the earliest possible opportunity; and I am sure that Dr. Kamesam himself will realise the importance and the expediency of clearing all doubts and misconceptions, and of satisfying all the honourable members of this House in regard to the work of the Development Department. Therefore, any questions that may be considered necessary may be put at the end of his remarks.

DR. S KAMESAM: As regards item No (iv), namely the construction of rural bridges, one of them has already been finished and is in use the bridge at Samburvadakara. It is a bridge of two spans of 50 feet each and two approach spans of 20 feet each, making a total length of 140 feet. Two other bridges have also been completed, one at Chanthanthura, about 8 or 9 miles from here, and the other near Anchal. The cost of these 3 bridges is about Rs. 9,000; and I am also asking for another sum of Rs. 9,000 for building about a dozen foot and cart bridges, on rural highways, for which the necessary hardware has already been purchased during the last financial year.

I may just mention, for the information of the honourable members, that the people of Samburvadakara have been asking for a bridge there for the last 30 or 40 years. According to conventional construction, it was reckoned to cost about Rs. 40 or 50 thousand; now it has been finished with just Rs. 3,000.

MR. M. SIVATHANU PILLAI: May I request the honourable member to answer my question about the pamphlet or circular against ascu?

MR. KAINIKKARA M. PADMANABHA PILLAI: Has there been any circular on that matter?

MR. M. SIVATHANU PILLAI: Hand bills have been issued in the form of a circular.

PRESIDENT: I think Dr. Kamesam may wait and note down all questions put to him by the honourable members, and then deal with them.

MR. KOTTALIL P. ABRAHAM: May I know for how many bridges the sum of Rs. 18,000 is being asked for?

DR. S. KAMESAM: I have already mentioned the names of three bridges which have been finished; there are a dozen more to be completed.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is there any proposal to put up one of these bridges at Kollakadavu in the Mavelikara-Chengannur road?

DR. S. KAMESAM: The proposal is under consideration and examination.

[*At this stage the President vacated the Chair which was then occupied by the Deputy President.*]

MR. T. C. KESAVA PILLAI: സർ, ഉൾനാട്ടിലെ കർഷകരുടെ ഗതാഗതാവശ്യങ്ങൾക്കു ഉടനടി പരിഹാരം കിട്ടത്തക്ക നിലയിൽ മരപ്പാലം പണിയിക്കുന്നതിനു സൗകര്യമായ വിധത്തിൽ കൊണ്ടുവന്നിട്ടുള്ള സപ്ലിമെൻററി ഗ്രാൻറിനെ ഞാൻ ഹൃദയപൂർവം പിൻതാങ്ങുന്നു. ഈ കാലസ്ഥിതിക്ക് ഇരുമ്പ് സിമൻറ് മുതലായ സാമാനങ്ങൾ കൊണ്ടു ഒരു പാലമോ മററ് മരാമത്തു പണികളൊ ചെയ്യിക്കുക എന്നുള്ളത് വളരെ വിഷമമായ ഒന്നാകുന്നു. നെയ്യാററിൻകര താലൂക്കിൽ കൊല്ലൻകോട്ട് എന്ന സ്ഥലത്തു ഒരു പാലം മുറിഞ്ഞുപോകയും അപായങ്ങൾ ഉണ്ടാകുകയും ചെയ്തു. ചീഫ് എഞ്ചിനീയരും സബ്ഡിവിഷൻ ആഫീസരും കാറിൽചെന്ന് അതുകണ്ടിട്ടു പോയതല്ലാതെ യാതൊരു പ്രയോജനവുമുണ്ടായില്ല. ഫ വൃ വയസ്സായ സ്ത്രീകൾ—കത്തോലിക്കസമുദായത്തിലെ പെൺകുട്ടികൾ—കുടത്തിൽ വെള്ളംകോരി ഒരു കൈകൊണ്ടു പിടിച്ച് മററെ കൈകൊണ്ടു മുണ്ടും പൊക്കിപ്പിടിച്ച് അരയോളമൊ കഴുത്തോളമൊ ഉള്ള വെള്ളത്തിൽ കൂടെ കടന്നു പോകുന്നതിന്റെ ഒരു ചിത്രം വിവരിക്കാൻ പ്രയാസമില്ല. ഇങ്ങനെയുള്ള സ്ഥലങ്ങളിൽ ഉടനടി പാലം കെട്ടാൻ ഗവമ്മെൻറു വേണ്ട ഏർപ്പാടുചെയ്യണം. മരപ്പാലം വളരെ മുൻപു തന്നെ നമ്മുടെ നാട്ടിൽ ധാരാളമുണ്ടായിരുന്നു. വേലുത്തമ്പിദളവായുടെ കാലത്തു പണിചെയ്ത പാലങ്ങളുടെ അവശിഷ്ടങ്ങൾ ഇന്നു കാണുന്നുണ്ട്. അതുപോലെതന്നെ ഓല ആധാരപ്പെട്ടികൾ ഇന്നും ധാരാളമുണ്ട്. പഴയ സംഗതികളെ പരിഷ്കാര ആശയത്തിൽ കൊണ്ടുവന്നു നടപ്പിൽ വരുത്താൻ ശ്രമിക്കുന്ന ഡവലപ്പ്മെൻറു ഡിപ്പാർട്ടുമെൻറിലേക്കു ആവശ്യപ്പെടുന്ന ഈ തുക അനുവദിക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. P. KOCHUKORA THARAKAN: മുറിഞ്ഞുവീണു എന്നു മെംബർ പറഞ്ഞ പാലം എന്തുകൊണ്ടു പണിചെയ്തതാണ്?

MR. T. C. KESAVA PILLAI: മരംകൊണ്ടുണ്ടാക്കിയതാണ്.

MR. M. SIVATHANU PILLAI: Sir, I want to make a few observations in respect of this motion. I may make my position quite clear at the very outset. I am rather diffident about the affairs of Dr. Kamesam. He has been asking Government to incur expenditure year after year to the tune of lakhs and not thousands or tens of thousands. It is true Sir, that the Andhra University for the first time has conferred an honorary degree on Dr. Kamesam. It is true that his services might be had by the Government of India under a covenant. It is perhaps true that the Government of Travancore secured his services on a covenant. As was remarked by Dr. Kamesam on the floor of the House on a former occasion it may also be true that he has not come here as a job-hunter. Perhaps his security of office in the Government of India may have enabled him to say that.

MR. E. P. VARGHESE: May I draw the attention of the member to what he said on the occasion of the opening of the Thottapalli bridge?

MR. M. SIVATHANU PILLAI: I said that the bridge was a wonderful bridge. At the same time I said clearly that I would wish to live to see the durability of the bridge. I was rather astonished to see that the bridge, a wooden bridge was able to hold a dead weight of 17 tons right in the middle without deflection. I said I would very much wish to see the durability of the bridge as it was remarked that it would be alright for 25 years.

The same feeling of diffidence still arises in my mind when I see Dr. Kamesam coming here, during every session of the Assembly with a demand for a lakh of rupees or Rs. 50,000. I have come to know that this ascu-treatment which has been dangled before the Travancoreans here is not a treatment on which scientific opinion has given its certificate or imprimatur of entire satisfaction. In other words, it has been reported that competent men in British India have been responsible for condemning this sort of treatment. Though it may not exactly be condemnation, according to me it must be in common parlance condemnation. They say that the treatment by ascu is not so beneficial as a wood-preservative, that the penetration is only $1\frac{1}{2}$ inches.

And I know definitely that there is, in circulation a pamphlet condemning ascu treatment. The name of the author of the pamphlet I cannot give at present. I should think that the honourable member himself is aware of it. If he is aware, certainly I expect him to give an answer.

Sir, I would like to know whether ascu treated wood will last far such time as Dr. Kamesam expects it will. Of course, Dr. Kamesam has been saying that there are 35 plants for ascu treatment in British India and one in England and one in America. That is no reason why we should have another here. We may as well await the result of those experiments in those places, where it is successful or not. I am only concerned with this method by ascu as a wood preservative. The institute of Forest Research has, of course after Dr. Kamesam left the place published a memorandum containing, though not open condemnation but insinuation against his method. What has Dr. Kamesam got to say? Men, competent, qualified and well versed in this branch

may have given expression to their views in support of his method. But why the Institute publication is now presented with a colourful comment. I want to know what is the idea behind it. It is up to Dr. Kamesam to explain why it is so. If we are convinced that the views in the memorandum are wrong, then it is the duty of this House to decry, to condemn it altogether as being unworthy of the institution from which the publication is circulated. That is what I want to stress on the attention of the House.

MR. PUTHUPALLY S. KRISHNA PILLAI: May I know who is the author of this pamphlet or whether the honourable member is in a position to produce it for the consideration of the House?

MR. M. SIVATHANU PILLAI: Sir, I express my inability to produce it now but if I am given time I shall get it in a day or two.

MR. PUTHUPALLI S. KRISHNA PILLAI: Is the honourable member in order in having referred to a pamphlet which is not before this House?

MR. M SIVATHANU PILLAI: I am only drawing the attention of the House to the circulation of such a memorandum and wanted to know whether Dr. Kamesam is aware of it or not.

MR. PUTHUPALLY S. KRISHNA PILLAI: The honourable member has been referring to the contents of hat memorandum. Is the honourable member in order when he is not sure even of the author of the memorandum?

DEPUTY PRESIDENT: So far as I can see, the honourable member was not building any argument that there was such a document being circulated. He wants the honourable member, Dr. Kamesam, to answer the allegations made in that memorandum.

MR M. SIVATHANU PILLAI: That is exactly the position.

MR. PUTHUPALLY S. KRISHNA PILLAI: Is the honourable member certain that it is not as a result of any malicious propaganda started by our neighbours for the purpose of condemning an industry which holds out a good prospect in the future?

MR. M. SIVATHANU PILLAI: I only wish it were so, as ardently as the Legal Remembrancer.

DEPUTY PRESIDENT: Does the honourable member vouch for the truth of the statement made in that document?

MR. M. SIVATHANU PILLAI: I hold myself fully responsible to the statement that I made here that there is a memorandum in circulation

DEPUTY PRESIDENT: That is not what I asked. Does the honorable member vouch for the truth of the statement made in the memorandum?

MR. M. SIVATHANU PILLAI: What I gather from a reading of the memorandum is that it does not give the treatment by ascu chemicals that place which Dr. Kamesam wants. It leaves the impression in the mind of an ordinary reader like myself that ascu treatment is after all not so reliable as is sought to be made out by Dr. Kamesam. It is stated that the penetration is only one and a half inches. I certainly will have a duty to warn the Government to think twenty or

[Mr. M. Sivathanu Pillai.]

even two hundred times before they allow Dr. Kamesam to develop the Department in the way he has been doing. Let him accept the challenge and make it plain to us, so that what he says with regard to the 35 ascu plants in British India may carry conviction and so that we may be in a position to allow him what he wants.

He wants to purchase a machinery for Rs. 11,205. It is, after all, as he said, for the purpose of experimenting. Before we allow Dr. Kamesam to go on spending money on purchase of machinery for the purpose of experimenting (on the basis of ascu-treatment) we must at least be sure that the experiment will be of some use to Travancore. So, before we rely on his suggestion or his pet method of treatment for wood preservative we must at least be a little bit convinced, at this time when we know that an authoritative memorandum is issued in the name of the Institute of Forestry questioning the claims of his ascu treatment. We should, of course, expect a clarification of the whole position before we allow him to purchase all this machinery.

DR. S. KAMESAM: I am afraid the honourable member is mixing up two things. The machinery has nothing to do with ascu process.

MR. M. SIVATHANU PILLAI: The two issues slowly merge in Dr. Kamesam, because he is practically the inventor of the ascu treatment and he is the person who now stands before the House and demands for a grant of Rs. 11,205 for the purchase of machinery. So, the two issues, though separate by themselves, merge into one another. It now behoves Dr. Kamesam to convince the House that his treatment is best or better than other methods as cresole treatment or the German method and if it turns out in this debate that he is right, then the authors of the memorandum will have to withdraw it unconditionally and confess their own inability to impeach the ascu treatment. I want the issue to be cleared.

MR. C. V. CHANDRASEKHARAN: On a point of order, Sir. The honourable member tells that he is not basing his arguments on the memorandum but he is constantly harping on it. He is not able to tell us who the author is or its source.

MR. M. SIVATHANU PILLAI: Sir, it is necessary only when Dr. Kamesam does not accept it. He freely accepts that such a memorandum is in circulation. That is quite sufficient for my purpose. I am not able to give details of what the memorandum contains. But all the same, Dr. Kamesam is aware of it and that makes it easy for me. If he says that he is not aware of the memorandum, then I can understand the necessity for a point of order being raised by the Pro-Vice-chancellor who appears to be rather nervous about Dr. Kamesam's defence.

DEPUTY PRESIDENT: The existence of the memorandum is not the question at issue. And you cannot build an argument on the contents of it unless you fix its authorship.

MR. M. SIVATHANU PILLAI: Yes, Sir. I do not propose to go into the language of the memorandum. But I only point out the existence of such a thing and that in the name of the Forest Institute in which Dr. Kamesam has been serving.

DEPUTY PRESIDENT: The house has well understood your position

MR. PUTHUPALLY S. KRISHNA PILLAI: As for that matter may I point out to the House that the existence of such a memorandum was first referred to by Dr. Kamesam himself and not by Mr. Sivathanu Pillai?

MR. M. SIVATHANU PILLAI Yes, Sir. I do not want the credit for being first in the filed.

DEPUTY PRESIDENT: Is the honourable member referring to the same memorandum which Dr. Kamesam has made mention of?

MR. M. SIVATHANU PILLAI: Certainly Yes, Sir.

MR. PUTHUPALLI S. KRISHNA PILLAI: In that case, that does not condemn Dr. Kamesam.

MR. M. SIVATHANU PILLAI: I am sorry that the honourable member has not understood me nor the memorandum. From all these I have to infer that the memorandum is known fairly well to all the members of the House But all the same, I have to say that it deffers very violently from the professions or the claims of Dr. Kamesam and certainly insinuates against the efficacy of his ascu treatment.

DEPUTY PRESIDENT: That is a different thing from condemnation about him.

MR. M. SIVATHANU PILLAI: In my opinion it is worse than condemnation as the attack is not frontal. Anyway, I put it that that memorandum differs very violently from the professions of Dr. Kamesam My position is that I am very glad that the Legal Remembrancer has suggested to me in an interpellation that the circulation of that memorandum has a motive behind it. I may say at the same time that nobody would be more glad than I when Dr. Kamesam will successfully dispel from the minds of the representatives, the impression left behind on account of the circulation of the memorandum I am sure Dr. Kamesam is sturdy enough to defend himself whether the Legal Rememberancer has or has not any belief in his behalf.

MR. P. S. MUHAMED: സർ, ഞാൻ ഈ ഡിമാൻറിനെ എതിർക്കുന്നു. ഡവലപ്പ്മെൻറ് ഡിപ്പാർട്ടുമെൻറിൻെറ ആരംഭം മുതൽക്കു തന്നെ ആ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും കൊണ്ടുവരുന്ന ധനാഭ്യർത്ഥനകളെല്ലാം ഈ സഭ അനുവദിച്ചുകൊടുത്തു പ്രോത്സാഹിപ്പിച്ചുകൊണ്ടിരിക്കയാണ്. ഇനിയും അങ്ങനെതന്നെ ചെയ്യുന്നതിനു ഇവിടത്തെ പല മെമ്പർമാരും മനസ്സുള്ളവരാണ്. ഞങ്ങൾ മി: കാമേശത്തിൻെറ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും പലതും ആശിച്ചിട്ടുണ്ട്. എൻെറ സ്നേഹിതൻ മി. ടി. സി. കേശവപിള്ള പറഞ്ഞതുപോലെ ഗതാഗതത്തി

[Mr. P. S. Muhammed.]

നാവശ്യമുള്ള പാലങ്ങളും മററുവിധത്തിലുള്ള കെട്ടിടങ്ങളും മററും ഉണ്ടാക്കുന്നതിനു വലിയ ചെലവുകൂടാതെ സാധിക്കുമെന്നുള്ള വിശ്വാസത്തോടുകൂടിയാണ് ഞങ്ങൾ ഈ ഡിപ്പാർട്ടുമെൻറിനെ ഇതുവരെ പ്രോത്സാഹിപ്പിച്ചുകൊണ്ടിരുന്നതു്. എൻെറ സ്നേഹിതൻ മി. ശിവതാണുപിള്ള പറഞ്ഞതു് ഈ ഡിപ്പാർട്ടുമെൻറിൻെറ പ്രവൃത്തനങ്ങളെ അപലപിച്ചു് ഒരു പാംഫ്ലെററാ മെമ്മോറാണ്ടമൊ മററാ പ്രചരിപ്പിക്കുന്നുണ്ടെന്നാണ്. അതു മി. ശിവതാണുപിള്ളയും മി. കാമേശവും മാത്രമല്ല ഞാനും എൻെറ ചില സ്നേഹിതന്മാരും കണ്ടിട്ടുണ്ട്. അതിൽ പറയുന്ന സംഗതികൾ ശരിയാണൊ? ഒരു വമ്പിച്ച ധനവ്യയം ചെയ്തതിനുശേഷം ഈ ഡിപ്പാർട്ടുമെൻറിൻെറ പ്രവൃത്തനം പരാജയത്തിലാണ് കലാശിക്കുന്നതെങ്കിൽ ഇതിലേക്കു പണം അനുവദിക്കുന്നതിനേക്കാൾ ഒരു വലിയ തെററു ഈ സഭ ചെയ്യാനില്ല. ആ മെമ്മോറാണ്ടത്തിൽ പറയുന്നതു ശരിയൊ തെററാ എന്നു ഈ സഭയെ പറഞ്ഞു മനസ്സിലാക്കേണ്ട ചുമതല മി. കാമേശത്തിനുണ്ട്. അതിനു അദ്ദേഹത്തിനു കഴിഞ്ഞില്ലെങ്കിൽ ഞങ്ങളുടെ ചുമതല ഈ അഭ്യർത്ഥനയെ നിരസിക്കയെന്നുള്ളതാണ്. മി. കാമേശത്തിൻെറ പ്രവർത്തനങ്ങളെല്ലാം സാധിതപ്രായങ്ങളാണെന്നു ഞങ്ങളെ വിശ്വസിപ്പിച്ചാൽ ഞങ്ങൾ അദ്ദേഹത്തിനേയും ഡിപ്പാർട്ടുമെൻറിനേയും പ്രോത്സാഹിപ്പിക്കതന്നെ ചെയ്യും.

MR. M. L. JANARDANAN PILLAI: Sir, I wish to speak a few words on the motion before the House. With regard to the construction of a building for housing the proposed sports factory, I, for one, am prepared to welcome that idea for Trivandrum. In the course of Dr. Kamesam's observation I had been able to elicit one point, namely that the particular firm, the Northland Sports Factory at Sailkot who have offered to work the factory in Travancore have asked for a contribution of Rs. 3,000 during the first year, Rs. 2,000 in the second year and Rs. 1000 in the third year, as a guarantee against any loss happening to them in that undertaking. I know the Government have been offered 5 per cent. of the net profits. I was wondering whether that is a wise proposition to be entered into by Government in the interests of the country. I have not been able to find out whether any competitive offer had been invited, in the interests of the industry concerned. I am not quite sure whether the terms proposed by the Northlands are the best that could be had in our interests. I may say that I have had transactions myself with the Firm and I know several other manufacturers. It is quite possible that we might get better terms than the one now offered by the Northlands Sports, provided we make confidential efforts to invite competitive tenders. I admit

that Dr. Kamesam had been trying to get offers from other people. But that is not an exclusive argument against my position. I do not see any reason why, in the face of the concessions which the Travancore Government are willing to give such manufacturing firms, namely a building free of rent, timber and other materials, on a graduated tariff price system, payment of loss during three years and so forth, other better offers could not be had. I am at a loss to see why the Government should indemnify the firm against losses even at the very commencement of the industry. Why should we take the risk of guaranteeing about Rs. 6000 for starting the industry even to begin with ? That is a position which I cannot understand. We ought to have invited tenders and then fixed the contract on the best offer. If that had been done, I would not have had any objection at all. I quite agree that Government ought to agree to the construction of a building for starting the industry. I go a step further and say, that when we fix up an agreement we should take particular care to see that the question of losses should be taken up, and considered only ofter 5 or 6 years, because if there is loss in the first two or three years there would be profit after that period. The approach to solve the problem has not been altogether sound.

MR. M. SIVATHANU PILLAI: May I know whether it is the member's position that a sufficient number of other open tenders has not been invited before settling the agreement with this particular firm ?

MR. M. L. JANARDANAN PILLAI: Yes.

As for the third item, namely, additional funds for the Development Department for the purchase of Ascu chemicals, I am not prepared either nor am I going to speak anyting of a pamphlet which is out to condemn it or to speak well of it. But this much I am entitled to say, namely, Ascu chemicals are manufactured according to the patent of Dr. Kamesam himself. Dr. Kamesam himself is also the head of the Department here and these are the two factors for consideration. Since Ascu chemicals according to the patent of Dr. Kamesam are imported here for several thousands of Rupees we have a right to know whether we are getting the proper value for our money. We must satisfy ourselves on that point. There is criticism that timber treated with Ascu treatment might not have a long life. It may as well happen that Dr. Kamesam himself might not be in Travancore service after some years. It may also be that most of the members now in this House may not be alive some years hence. So then, when we sanction funds, we must satisfy ourselves whether the material got down is really intended to serve its purpose and whether it is the genuine material. If Dr. Kamesam can assure us that it is in the best interests of the country that we effect such purchases and that it would serve the purpose very well, that is all the point we want. We want to know that assurance is forthcoming from Dr. Kamesam, then it would be possible to decide whether the demand in question could be sanctioned or not. If his explanation is satisfactory I say that the demand has to be necessarily sanctioned.

MR. K. P. KOCHUKORA THARAKAN : സർ, ആസ്ക്യൂ ട്രീററ്മെൻറിനു കെമിക്കൽസ് വാങ്ങിക്കാനാണ് ഈ പണം ആവശ്യപ്പെടുന്നതു. ഒരു ക്യൂബിക്കടി തടി ആസ്ക്യൂ ട്രീററു ചെയ്യുന്നതിനു തടിയുടെ വില കെമിക്കൽസിൻെറ ചെലവ് മി: കാമേശത്തിൻെറ കമ്മിഷൻ, ഇതെല്ലാംകൂടി എന്തു ചെലവുവരുമെന്നു ഈ സഭ മനസ്സിലാക്കിയിട്ടില്ല. ആസ്ക്യൂ ട്രീററു ചെയ്താൽ തടി നൂറുകൊല്ലം നിൽക്കും എന്നാണ് പറയുന്നതു്. എന്നാൽ അതു് നമ്മുടെ നാട്ടിൽ ധാരാളമുള്ള തേക്കു, തമ്പകം മുതലായ തടികളെക്കാൾ നല്ലതാണൊ ആസ്ക്യൂ ട്രീററുചെയ്ത തടി എന്നു നോക്കേണ്ടതാണ്. അദ്ദേഹം പറയുന്നതു് ആസ്ക്യൂ ട്രീററുചെയ്ത തടികൾ ഒന്നര ഇഞ്ചൊ രണ്ടിഞ്ചൊ വെടിക്കുകയെയുള്ളു എന്നാണ്. അങ്ങിനെയുള്ള തടികൾകൊണ്ടു പാലം പണിതാൽ ഒരു പത്തു കൊല്ലം കഴിയുമ്പോൾ അതു് ഉരുണ്ടു വീഴും. അതിൽഭേദം തമ്പകമൊ തേക്കോകൊണ്ടു പാലം പണിയുകയാണു നല്ലതു്. ഈ തടികൾ ഡിപ്പോവിൽ പത്തു രൂപ വച്ച് ലേലത്തിൽ പോകുന്നുണ്ട്. ഇതിനെക്കാൾ കൂടുതൽ വിലയാകുമെങ്കിൽ ഈ കെമിക്കൽസ് എല്ലാം വരുത്തി മററു തടികളെ ട്രീററു ചെയ്യേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. എൻജിനീയർ ഡിപ്പാർട്ടുമെൻറിലെ ചില അധികാരമുള്ള ഉദ്യോഗസ്ഥന്മാരോടു ചോദിച്ചതിൽ കാമേശത്തിനു കൊടുക്കുന്ന രൂപ കൊടുത്താൽ അവർക്കു തടികൊണ്ടു പാലം പണിയാൻ സാധിക്കുമെന്നാണ്. തമ്പകംകൊണ്ടു പാലം പണിയുന്നതിനേക്കാൾ കൂടുതൽ ചെലവല്ലേ ആസ്ക്യൂ ട്രീററുചെയ്ത തടികൾ കൊണ്ടുണ്ടാക്കാൻ എന്നാണ് എൻെറ സംശയം. മാവുകൊണ്ടും മരുതുകൊണ്ടും പാലം കെട്ടി എന്നു വരുത്തിയതുകൊണ്ടു യാതൊരു വിശേഷവുമില്ല. തിരുവിതാംകൂറിൽ സാമ്പത്തികമായ ഒരഭിവൃദ്ധിയുണ്ടാക്കുന്നതിലേക്കാണ് ശ്രദ്ധിക്കേണ്ടതു്. തമ്പകവും തേക്കും കൂടുതൽ പഴക്കം നിൽക്കുന്നതാണ്. അതു വിലകുറച്ചു കിട്ടത്തക്കവണ്ണമുള്ള വ്യവസ്ഥകൾ വേണം ഉണ്ടാക്കാൻ. ഉപ്പുവെള്ളമുള്ള പ്രദേശത്തു മരുതുകൊണ്ടു പാലം പണിതാൽ വളരെക്കാലം നിൽക്കും. വള്ളങ്ങൾ കുളമാവുകൊണ്ടാണുണ്ടാക്കുന്നതു്. അതു പത്തും അൻപതും കൊല്ലംവരെ നിൽക്കുന്നുണ്ട്. അതുകൊണ്ട് അദ്ദേഹം ആസ്ക്യൂ ട്രീററ്ചെയ്ത തടികൾ ചെലവു കുറവുള്ളതും വളരെക്കാലത്തേക്കു നിൽക്കുന്നതാണെന്നും ബോദ്ധ്യപ്പെടുത്തിയാൽ കെമിക്കൽസ് വാങ്ങിക്കാനുള്ള ചെലവു അനുവദിക്കാം. അല്ലെങ്കിൽ അദ്ദേഹം പണിതിട്ടുള്ള പാലങ്ങളുടെ സ്ഥിതി എങ്ങിനെയിരിക്കുന്നുവെന്ന് ഒരു മൂന്നു കൊല്ലം നോക്കിയിട്ടു പിന്നീടു നിശ്ചയിക്കാം.

MR. A. K. KUMARAN VAIDYAN: ഇരുമ്പും സിമൻറുംകൊണ്ട് പാലമുണ്ടാക്കാൻ കൂടുതൽ ചെലവു വരുമെന്നാണ് പറയുന്നത്. തോട്ടപ്പള്ളി പാലത്തിനു എന്തു ചെലവുണ്ടായിട്ടുണ്ടെന്നറിയാമൊ?

MR. K. P. KOCHUKORA THARAKAN: ആലുവാ പാലം തോട്ടപ്പള്ളിപാലത്തിൽ നിന്നും വലിയ വ്യത്യാസംകൂടാതെ പണിചെയ്യാം. അതിനെക്കുറിച്ച് അസംബ്ളിയിലേക്ക് ഒരു ചോദ്യം അയച്ചിട്ടുണ്ട്. അതിൻെറ മറുപടി കിട്ടിയിട്ടുവേണം അതിനെക്കുറിച്ച് കൂടുതൽ വിവരങ്ങൾ അറിയേണ്ടത്. മരംകൊണ്ടുള്ള പാലത്തിൻെറ പഴക്കം ബോദ്ധ്യപ്പെടുത്തിയല്ലാതെ അതിലേക്ക് കൂടുതൽ പണം ചിലവുചെയ്യാൻ പാടില്ല. ഇരുമ്പും സിമൻറും ഇവിടെ വന്നതോടുകൂടിയാണ് മരപ്പാലങ്ങളെല്ലാം പൊളിച്ച് പുതുതായി പണി തുടങ്ങിയിട്ടുള്ളത്. ഇവിടെ ചാക്കയിൽകടവിലുള്ള പാലത്തിന് ഇതുവരെ യാതൊരുകേടും വന്നിട്ടില്ല. ഡിപ്പാർട്ടുമെൻറു അദ്ധ്യക്ഷൻെറ ശ്രദ്ധക്കുറവുകൊണ്ട് പല പാലങ്ങൾക്കും അററകുററം വന്നിട്ടുണ്ട്. വേണ്ട ചുമതലാബോധത്തോടുകൂടി പാലം പണി നടത്തിയാൽ വലിയ തരക്കേടൊന്നും വരികയില്ല. ഇപ്പോൾ ഇരുമ്പും സിമൻറുംകൊണ്ടുള്ള പാലത്തിൻെറ പഴക്കം എത്രയാണെന്ന് നിർണ്ണയിക്കാറായിട്ടില്ല. അതിൻെറ പഴക്കം അറിഞ്ഞാലെ അതിൻെറ ആദായം നിശ്ചയിക്കാൻ സാധിക്കുകയുള്ളു. തേക്ക്, തമ്പകം മുതലായ തടികളെ അസ്കൃട്ടററുമെൻറ്ചെയ്തു ഇവിടെ പ്രദർശിപ്പിച്ചിരുന്നു. അത് വെള്ളാനയെക്കൊണ്ട് കളിപ്പിക്കുന്നതുപോലാണ്. വളരെ ഭംഗിയായി ഡവലപ്പുമെൻറ് സെക്ഷൻ എന്നൊന്ന് ഉണ്ടാക്കിവച്ചിട്ടുണ്ട്. അതിൽനിന്നും നടത്തുന്ന ജോലി പ്രയോജനപ്പെട്ടുകാണുന്നില്ല. അതുകൊണ്ട് തിരുവിതാംകൂറിൻെറ സാമ്പത്തികനില ഉയരണമെങ്കിൽ കൂടുതൽ പഴക്കമുള്ള പാലങ്ങൾ അത്യാവശ്യമാണ്. അങ്ങിനെ ചെയ്യാൻ സാധിക്കുമെന്ന് ഡയറക്ടർ അവർകൾ കണക്കുകൊണ്ടു ബോദ്ധ്യപ്പെടുത്തണം. ഇതുവരെ ചെയ്ത ജോലികൊണ്ട് അത് ബോദ്ധ്യപ്പെട്ടിട്ടില്ല.

DR. S. KAMESAM Sir, I am indeed glad to have this opportunity of clearing some of the doubts and misgivings in the minds of some of the honourable members of the House.

In the first place, I would take up the criticism made by Mr. Sivathanu Pillai. He viewes with a certain amount of alarm at the one lakh and odd of rupees sanctioned for the execution of my schemes and experiments. What are the actual facts? Last year a sum of Rs. 1,40,000 was granted to my department, of which about Rs. 30,000 lapsed and this year, Rs. 70,000 was given to me. Out of that the cost of machinery that has been brought for experimental purposes amounted to Rs. 50,000 and buildings for Rs. 30,000. The cost for

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treating poles for electrical department was also met out of this amount. Instead of the Forest Department getting half the tariff value, the Development Department has been able to get the full price. Income under that head amounted to Rs. 30 to 40 thousand. The Madras Government purchased from us 800 poles at three to four times the price the Electaical Department was paying for.

Then as for the faith that can be put upon the Ascu treatment I can do no better than read a paragraph from a pamphlet published by the Government of India a few years ago. It says :—

> " It is scarcely necessary to emphasise that the invention of Ascu has now made it possible for indigenous timbers to compete with steel, iron and concrete for structural purposes, so that a new industry of considerable importance is coming into being. This will not only increase the revenues of the Forest Department from sources which gave a poor income before, but will lead to the employment, directly and indirectly, of thousands of educated men, artisans and manual workers, and will reduce imports of foreign materials ".

This bullettin is prepared and issued by the Government of India for the information of the Central Legislative Assembly members and the members of the Provincial Legislative Council. So you cannot expect a more authoritative bullettin than this.

MR. M. SIVATHANU PILLAI : May I know the author of the bullettin ?

DR. S. KAMESAM : It is published by the order of the Government of India. Then there is a letter by Sir Gerald Trevor Kt., Inspector General of Forests, India, and President, Forest Research Institute & College, Dehra-Dun. What does he say about Ascu treatment ? The Times of India wrote an article condemning the Ascu treatment. Everybody knew what was the intention behind it. Sir Gerald Trevor contradicted some of the contents of the article and demanded to publish his article in the paper. The paper declined to do so. He has put it in the form of a letter to "Commerce". Sir Gerald Trevor, the former Inspector General of Forests, India has written like this :—

> " At the same time, it is possible by means of what are known as accelerated tests to obtain an indication, within a comparatively short time, as to whether a wood preservative is likely to be any good or not. Ascu was subjected to many such accelerated tests, in fact to more tests than any other preservative yet tested at the Forest Research institute. It was tested separately, and also together with creosote and other well-known commercial wood preservatives, and in these accelerated tests it did extremely well. For example, in one trial all the pressure creosoted test pieces were destroyed in about 18 months while similar Ascu treated pieces were intact after $3\frac{1}{2}$ years.
>
> While these tests were going on, the question of a cheap and simple type of pressure plant was being investigated, and eventually a very effective portable plant of simple design and

small cost was designed. This plant was tested out in a practical way and proved efficient. At last therefore the prospect of cheap commercial wood preservation in India appeared to be in sight."

Again he goes on :—

"Put briefly, does a small commercial man prefer to install a creosoting plant at a cost of Rs. 10,000 or more and to purchase creosote at one rupee or so per gallon, or does he prefer to invest Rs. 500 only on a pressure plant for Ascu treatment (the largest plant designed costs only Rs. 2,500) and to buy Ascu at, say, 6 to 10 annas a gallon and risk it being an efficient and durable preservative? The answer is in favour of Ascu every time.........

MR. M. SIVATHANU PILLAI: May I know who is the author of the article?

DR. S. KAMESAM; This is an article by a former Inspector General of Forests, India and published by the "Commerce" – a well-known business journal.

MR. M. SIVATHANU PILLAI May I know the respective costs of Ascu inventions?

DR. S. KAMESAM: That is a very interesting question to answer. But before doing so I may make one other point clear. It is said I am pushing the use of Ascu for making profit. There is nothing further than the truth The Travancore Government have fixed a certain amount. I do not get any more money than what was fixed four or five years ago. The Mysore Government have the longest experience of 15 years with regard to Ascu treated timber. They have treated on an average two lakhs of railway sleepers after giving up creosote. They have started using Ascu some five years ago and have found it to be entirely successful. After trial Mysore Government bought the right for Ascu from me just like the Travancore Government for fixed sum of money. Then again there is the following sentence from a publication of the Government of United Provinces on the preservation of wood with Ascu and the scope for the use of Sapwood:—

"The Forest Research Institute, Dehra Dun, feels, therefore, justified in recommending Ascu to all Provincial Governments and non-official inquiries and has stated that Ascu appears to be, so far, the most efficient and economical wood preservative known."

MR. M. SIVATHANU PILLAI: May I know the name of the author? Is he an Indian or an Englishman?

DR. S. KAMESAM: He is an Indian: Referring to the memorandum that has been circulated, Mr. Sivathanu Pillai stated that Ascu was condemned by the Forest Research Institute, Dehra Dun. I may say, Sir, that this is an incorrect statement. There are a number of booklets published by the Forest Research Institute about Ascu treatment and the success it has gained. If the Government of India or the Forest Research Insititute decide now to go back upon what they said—but that is hypothetical—they will have to withdraw at least 22 publications.

[Dr. S. Kamesam.]

There is no responsible authority in any part of British India or the United States that has condemned Ascu. I do not know where from the honourable members has got the information that Ascu treatment has been condemned. It is entirely incorrect.

The memorandum to which apparently the honourable member refers is a memorandum recently issued by the Forest Research Institute. It is true that that the Institute has never given a guarantee at any time in the past for the life of the ascu treated timber. All that it did was to compare this treatment with 70 other types of treatment tested at the Institute. It also said Ascu gave the best results. I challenge anyone either inside this House or outside this House to state that the Forest Research Institute has said something other than this or that it has pointed out any other type as better than Ascu. In fact, it has condemned creosote as not quite reliable in an official publication. In spite of this, cresote has been recommended without any qualification. As regards Ascu, the Institute has not pointed out a single case in which timber properly treated with Ascu has failed.

Coming now to the memorandum referred to by my honourable friend Mr. Sivathanu Pillai I may say that it is about 7 years since. Ascu was invented and 5½ years after its invention the first The Forest Research Institute published a Forest Record based on tests conducted up to then declaring that it was the best wood preservative known. But a Research Institute cannot commit itself regarding the ultimate performance of any preservative and cannot give any guarantee. All that I can say is from experiments and authoritative opinions from experts that it is the most suitable preservative. This is what the Forest Research Institute, Dehra Dun says in one of their Forest Records dealing with Ascu:—

> "Over 60 different wood preservatives, including creosote, have been under tests over a long period of years at the Forest Research Institute at Dehra Dun. Some of these have proved to be very efficient preservatives but either on account of their high cost, or for some other reason, not one has fulfilled all the conditions required of the perfect preservative. The ideal preservative must in the first place be efficient, more especially as a deterrent against termites, fungi and boring insects. It must also be permanent and cheap. It must not corrode iron or other metals, and if, in addition, wood treated with it can be painted or polished, it is nearing the point of being a perfect preservative. No preservative discovered prior to 1931 fulfilled all these conditions, but in that year the discovery of "Falkamesam", which was essentially an arsenic preservative in which the arsenic was "fixed" in wood by chromium salts, attracted the attention of the Forest Research Institute as approaching the standard of an ideal preservative. No sooner had attention been centred on "Falkamesam" than the discovery brought out an improvement by adding copper sulphate to the mixture and "fixing" the two toxic

> principles (arsenic and copper) by means of a specific percentage of chromium salts. This new preservative was called ASCU (As-arsenic, Cu-copper) and as it had every indication of approaching the ideal preservative it was investigated very thoroughly by the Forest Research Institute."

Five and a half years after the invention this book was published and issued. No research institute can give guarantee for the life of timber treated with any preservative. Again, in the memorandum that has been referred to by the honourable member as issued recently by the Forest Research Institute. I might say that now I am a permanent Wood Preservation officer of the Government of India at the Forest Research Institute, Dehra Dun.

Although it is 3 years since I vacated it to take up other appointments first charge of the Timber Development Branch at the Research Institute, and later, to come here, nobody has been appointed in my place, which is still shown as vacant. The memorandum on Ascu has been not well written. There has been no such officer or Department before my appointment. That is why some palpable criticism has arisen with regard to this. I shall circulate copies of this memorandum to all the members of this House and then they could see that there is not a single statement in it to show that the timber properly treated with Ascu failed in 7 years.

MR. M. SIVATHANU PILLAI: Then what does it say?

DR. S. KAMESAM: All that it says is that new factors have come to the notice as a result of some failures in the Punjab. From this one could gather that the poles referred to there should have lasted for at least 5½ years but actually they failed within 1½ to 2 years. The reason why they failed was that the penetration of Ascu and ascu contents of these treated poles was very shallow and much lower than the Forest Research Institute recommended. The memorandum is, therefore, highly misleading as it is impossible to learn of any new factors for poles which failed within two years due to an obvious cause.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the Honourable Member is aware that one Rao Bahadur Neelakanta Aiyar has issued a pamphlet condemning the Ascu treatment of timber?

DR. S. KAMESAM: I am not concerned with what not one but one thousand Nilakanta Aiyar's have said about Ascu. I depend upon the judgment of those who are competent to judge in the field and in the laboratory. The suitability of my preservative has been recognised by eminent and distinguished scientists who work in the line and by distinguished commercial corporations and magnates both in America and Europe. The Americans are not fools to accept something coming from India and pay me a lakh of rupees for permission to use my invention and use it for treating only electrical poles. One foreign company has offered me Rs. 85,000 for the right of using this patent in America for building and other timber. I depend upon the judgment of competent men and not upon the opinion of retired officers like Rao Bahadur Nilakanta Aiyar who have not handed a test tube and who have no capacity to question or to criticise.

[Dr. S. Kamesam]

Then as regards the point raised by my friend Mr. Kochukora Tharakan I have to say only this much. True, we have got really durable timbers like Thambakam and Thembavu. The life of these timbers can be prolonged if they are properly treated. The efficiency of the preservative poison which is already in them can be added to by treatment. Hundreds of experiments have shown that any porous timber properly treated under pressure is more durable than the most naturally durable timber Honourable members are aware what life is given by thick teak poles in British Cochin. Not more than 5 years we are using comparatively very thin sapling treated. So far as the treatment by creosote is concerned this is what the Research Institute says:—

> "In Dehra Dun, for example, there are definitely two separate species of fungi which can frequently be found on wood which has been pressure treated with creosote a few years previously".

If this was in one small town of India, what about the rest of India? There must be hundreds of such fungi. In spite of this creosote was recommended by the Institute without any qualification.

Ascu was recommended without any qualification by the Institute. This recommendation was accepted and acted upon by several Sates in India. In Kashmere there are two plants for Ascu treatment in Jodpur there is one, in Patiala also there is one. The Governments of U. P. and Orissa have installed plants for Ascu treatment of timber. The Governments of Mayurbhany and Bastar States have two Ascu plants The Governments of Madras and Orissa have three or four Ascu treating plants. The Port Trusts of Madras, Vizagapattam and Bombay have adopted this treatment of wood. Mysore possess 3 plants for treating timber with Ascu. Sir, I do not depend upon the verdict of this Assembly for my technical status or for my job. It is entirely open to them to say whether they want my services here or not and whether they want Acsu or not.

MR. KOTTALIL P. ABRAHAM: May I know the relative cost of treated timber and untreated timber?

DR. S. KAMESAM: The cost of untreated timber is Re. 1 and 2 annas for an average hard timber like Murthi. The cost of treatment is about 4 to 5 annas for timber. The cost of treated timber comes to not more than Re. 1 and 12 annas.

MR. KOTTALIL P. ABRAHAM: May I know whether the P. W. D. is charged for the treated timber bridges?

DR. S. KAMESAM: An agreement has been reached between myself and the Chief Engineer in this respect. The P. W. D. do the sub-structure and the Development Department supply the super-structure. The actual installation will be done by the P. W. D.

MR. KOTTALIL P. ABRAHAM: May I know whether the amount asked for the construction of the rural bridges include the P. W. part of the work also?

DR. S. KAMESAM: Yes, Sir. The estimate is given for three bridges, one at Samburvadakarai, one at Panayancherry near Anchal, and the third at Chanthanthurai which will be completed for Rs. 9,000 and the rest is available for seveial cart and foot bridges.

MR. T. P. VELAYUDHAN PILLAI: May I know whether the spans and the pillars of the Thottapalli bridge are not made of teak wood?

DR. S. KAMESAM: Yes Sir. I was constrained to use teak in a large proportion in the construction of the bridge because I wanted to complete the bridge urgently due to the visit of the Viceroy. There was no time to collect and treat maruthy.

MR. T. P. VELAYUDHAN PILLAI: May I know whether those spans and pillars have undergone this Ascu treatment?

DR. S. KAMESAM: That is a very interesting question for me to answer Sir. In the case of teak the durability is there whether we treat it or not In the case of maruthy, treatment gives better durability than that of teak. The medicine does not penetrate into the teak wood. In spite of this if properly cared for it would last for 25 to 30 years.

MR. T. P. VELAYUDHAN PILLAI: May I know the total percentage of the materials in the Thottapalli bridge which are untreated?

DR. S. KAMESAM: Except for the rim where I used treated timber maruthy, the rest is of untreated teak.

MR. T. P. VELAYUDHAN PILLAI: May I know at least the approximate percentage of the materials that have undergone this ascu treatment in the Thottapalli bridge?

DR. S. KAMESAM: It is only 15 per cent of the materials that have undergone treatment.

MR. T. P. VELAYUDHAN PILLAI: May I take it that only the planks in the construction of the platform have undergone treatment?

DR. S. KAMESAM: No Sir, it is only the rib timbers but mechanically that is the most important part of the bridge. These ribs fall from a height of about 30 feet and these secure ribs were used again in the final structure.

MR. M. L. JANARDHANAN PILLAI: Were all the materials used for the construction of the Thottappally Bridge, except the fifteen percent of Ascu treated Maruthy, teak materials?

DR. S. KAMESAM: Yes.

Mr. Janardhanan Pillai has referred to my getting the terms of business only from one sports firm. I was corresponding with very many firms such as the Imperial Company, Kukraja Coy, Uberoi & Co. etc., for about a year and I have got a big file regarding the subject. Three of them unfortunately declined to have anything to do with Travancore and there was only one firm that came forward to accept the proposal of establishing a factory here, and that is the Northland Sports Works, Sailkot. Considering other States, because I have had

[Dr. S. Kamesam]

experience and went on deputation as Timber Expert in other States like Mysore, Gwalior, Kashmir, Mayurbhany and Bhopal, etc., I feel that what we have given to this Company is not very much. The agreement is not as you have suggested to pay a minimum of Rs. 3,000, but it is a maximum of Rs. 3,000. Honourable members would do well to look at the clauses of agreement. There is a clause which runs as follows:

"That the account books of the factory shall be open to inspection by the Government representative as and when necessary".

Then again, "The Government shall have a voice in fixing the salaries of employees, the expenses incurred by the Company in running the factory".

"The company agree that in case Government advice regarding expenditure or other matters is not accepted, it will be open to Government to give six months' notice for the termination of this agreement, at the same time if the Company feels that Government are unduly interfering with their activities, it will be open to them to give six months' notice to Government and close down the factory".

We have done everything possible to protect ourselves consistent with the possibility of their working satisfactorily in this place. We cannot expect the Sailkot people to come over all the way from there to here and work with no facility being given to them. They are not coming here to lose money. If they don't lose, we need not pay anything. On the other hand, they give the Government 5 per cent. of their profits. They are investing money on machinery and if they are losing they will get nothing out of the concern and it is only up to a maximum of Rs. 3,000 that you are giving them. Further, you have got full control over the concern. If they have a gain, we get five per cent. on it and if they lose, you are not affected, it will be like "Heads I win" "tails you lose".

MR. M. SIVATHANU PILLAI: May I know your answer with regard to Mr. Janardhanan Pillai's statement that you are purchasing the chemicals required by your Department from a Company which has got your patent?

DR. S. KAMESAM: Sir, it is entirly wrong to say so. Ascu chemicals consist of Potassium dichromate copper sulphate, and arsenic pentoxide.

These are sold by the Imperial Chemical Industries (India) Ltd. Cochin, and other well-known manufacturers and sellers of chemicals. The Stores Purchase Committee actually purchase the chemicals after calling for tenders for each individual chemical and, as a matter of fact, if the chemicals had been orded from the Imperial Chemical Industries, we would not have been left in the lurch. They were ordered from a German firm. There is no question of any individual making any profit on that.

The question that Government be granted a sum of Rs. 46,705 under demand XX—Forests (including Director of Development) under the heads referred to in the printed paper before the House, was put to vote and carried.

The grant was made.

MR. M. K. NILAKANTA AIYAR: Sir, I rise to move for an additional grant of Rs. 50,000 under Demand No. XXVII—Stationery and Printing,

I shall briefly explain why the additional grant is applied for. As usual, a sum of Rs. 40,000 was provided in the budget of the Government Press for the current year under "Printing of Malayalam Readers and Copy Books". At the time of the preparation of the budget estimate for the current year, for want of certain definite information, the grant under this item was put down as Rs. 40,000 provisionally. During 1114, besides the usual Malayalam Readers, about 40 items of new text books on various subjects were introduced and printed. 14 private firms were entrusted with the work of printing. But, for want of funds the expenditure on account of these could not be paid from the last year's budget provision itself. Consequently, a sum of Rs. 35,438 had to be paid for the printing done last year out of the current year's allotment. Therefore, the allotment for the current year has fallen short of the required amount and hence the necessity for this supplementary grant.

MR. KOTTALIL P. ABRAHAM: May I know who undertook to print these books?

MR. M. K. NILAKANTA AIYAR: Several firms. Government invited tenders. A certain portion of the work was done in the Government Press and the other was done through fourteen firms.

MR. K. P. KOCHUKORA THARAKAN: ഗവർമ്മൻറിൽനിന്നും ഈ അച്ചടിജ്ജോലി വേണ്ടെന്നുവയ്ക്കാൻ കാരണമെന്താണ്?

MR. M. K. NILAKANTA AIYAR: പുസ്തകങ്ങൾ അധികമുണ്ടായിരുന്നതുകൊണ്ടും സമയമില്ലാത്തതുകൊണ്ടുമാണ്. അതുകൊണ്ട് പ്രൈവറ്റ് പ്രസ്സുകളിൽക്കൂടി കൊടുത്തു ജോലി ചെയ്യിപ്പിച്ചാലെ സ്കൂൾ തുറക്കുന്നതിനു മുൻപ് എല്ലാ പുസ്തകങ്ങളും കൊടുക്കാൻ സാധിക്കയുള്ളു എന്നു കണ്ടു.

MR. K. P. KOCHUKORA THARAKAN: എന്നിട്ട് സ്കൂൾ തുറക്കുന്നതിനു മുമ്പ് എല്ലാ പുസ്തകങ്ങളും കൊടുത്തോ?

MR. M. K. NILAKANTA AIYAR: കൊടുത്തു.

MR. KOTTALIL P. ABRAHAM Has the printing been already started for this year's requirments?

MR. M. K. NILAKANTA AIYAR: The printing will be started soon. There is some stock left out of the books printed last year.

[Mr. M. K. Nilakanta Aiyar.]

The question that Government be granted a sum of Rs. 50,000 under Demand No. XXVII—Stationery and Printing was put and carried.

The grant was made.

MR. M. GOVINDA PILLAI: Sir, I beg to move that the report of the Public Accounts Committee on the Audit and Appropriotion Accounts for 1113 may be taken up for consideration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether members first elected by this House to the Public Accounts Committee have had the opportunity of examining those accounts?

MR. M. GOVINDA PILLAI: Sir, I am afraid they had not the opportunity.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reasons for such sad state of affairs?

MR. M. GOVINDA PILLAI: Before the expiry of the year, it was not possible to have the report ready. Unfortunatly, the Public Accounts Committee Report was ready at the beginning of this year only and hence it was not practicable to place it before the Committee which was elected in the year 1114

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know why there was delay in the preparation of the accounts?

MR. M. GOVINDA PILLAI: It appears that at various stages we had to get information from various departments and necessarily there was delay and Government feel sorry for such delay. They have however promised the Accounts Committee which met last month, that everything will be done to give them an opportunity to scrutinise the report for 1114 before the budget estimates for 1116 were presented to this House.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, before formally moving the motions tabled by me, I wish to make a few general observations on the report of the Public Accounts Committee for the year 1113.

DEPUTY PRESIDENT: You are at perfect liberty to do so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: It is really gratifying to note that there is considerable improvement in the budget forecasting. While the savings amounted to 18·35 percent of the final aggregate grant in 1112, the savings amounted to only 10·21 percent in 1113 and there are sufficient justifiable reasons also for the saving thus made during the year under discussion and report. It is equally gratifying to note that there was no irregular reappropriation during the year under report. But, Sir, I am constrained to observe that the expenditure authorised under Section 32 of Act II of 1108 and the excess expenditure under total grant and unnecessary supplementary grants have been increasing from year to year in spite of the strong criticisms made and objections raised by this Legislature.

DEPUTY PRESIDENT: Give figures to substantiate the statement.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: It is clear from the several statements appended to the Report under discussion. The report of the Public Accounts Committee under discussion is not only not sufficiently instructive but also is hopelessly incomplete. There appear to be two main reasons for this sad feature of the report. One of the reasons is that the members of the Public Accounts Committee have not cared to send up in time the necessary questions on the report for the purpose of information or explanation on the points that needed elucidation. It can be seen from the report of the Public Accounts Committee for the year 1112, that the member of the Committee sent up a number of questions on the audit report and the appropriation accounts for the year 1112 and the Government had also placed on the table the answers to those questions. This procedure facilitated to a very considerable extent the deliberations of the Committee and consequently the Committee was in a position to present before the Legislature rather an instructive report. The Public Accounts Committee is a statutory body constituted under Rule 79 (1) of the Legislative Reforms Rule and the Committee is also empowered to take the evidence and examine as witnesses all Heads of Departments or other officers to supplement the information on any point coming under the purview of its enquiries. That the members of this committee have not cared to avail themselves of this beneficial provision is obvious from para 4 of the proceedings of the meetings of the Public Accounts Committee. As an illustration, I may be permitted to read paragraph 4 of the Proceedings of the meeting of the Public Accounts Committee dated Saturday the 16th December 1939.

> "*Kuttanad Water Supply.* Mr. N. Krishna Aiyar referred to page 112 of the Report and asked for details as to the sum of Rs. 5.76 expended in 1113. He was informed that the members of the Committee had the right if they considered it necessary, to request Government to summon the Heads of Departments who they would like to interrogate for purposes of information or explanation of points which needed elucidation, according to them and that, in the absence of such previous requisition, the only possibility was to get the information from the Head of the Department concerned."

Hence I submit that the Report of the Public Accounts Committee is neither complete nor sufficiently instructive. The Committee members appear to have been satisfied with the little they had before them at the time of their deliberations.

With these general observations, I may be permitted to move my first resolution which runs as follows:

> "This Assembly recommends to Government that severe steps be taken against the departmental heads who did not submit their reports in time, regarding the lapses and surrenders, as laid down in Section 930 of the Financial and Account Code Part I."

In the Audit and Appropriation Report of every year a fairly long and whole paragraph used to be devoted for explaining facts relating to the

[Mr. Puliyoor T. P. Velayudhan Pillai]

lapses and surrenders of several departments. Article 244 of the Account Code Part I, corresponding to Article 913 of the Financial and Account Code Part I, lays down that Heads of Departments should submit formal reports to Government as soon as they foresee lapses and savings, and should surrender all that is not likely to be spent during the rest of the year. It is clear that several Heads of Departments have not done that, although they had actually anticipated savings and lapses. Apparently, they did not care to do their duty as clearly laid down in the Financial and Account Code. Sir, is that not deliberate disobedience of Government orders? There can be no doubt that such officers deserve severe punishment for dereliction of duty. I would only refer, in this connection to page 98 of the Audit and Appropriation Report. There, it is stated :—

> "On the other hand, lapses and savings in one department may be utilised during the year by the Government for the requirements of other departments. It is therefore essential that funds should not be unnecessarily locked up; and that Government should be kept informed of the progress of expenditure. Whenever the head of a Department finds that he could not spend, during the year, any portion of the appropriation placed at his disposal, he should immediately report the fact to the Finance Department through the Accountant - General and the administrative department of Government. It is not permissible to reserve such funds for demands which may arise during the course of the year. During the year under review, the Financial Secretary alone surrendered funds to the extent of Rs. 2,500 towards the close of the year, while many other Heads of Departments, who could have also anticipated savings and surrendered them early, did not do so. This shows that the controlling officers had either not correctly appreciated the principle underlying the Rule or they are unable to take the necessary measures in time. Whatever that may be it is highly desirable that compliance with the salutory Rules by the controlling officers is insisted upon as it will operete as a check on the possibility of extravagant expenditure by departmental officers."

Sir, it is indeed painful to know that surplus funds, which could have been spent for the more pressing needs of the tax payer, were locked up on account of the failure on the part of Heads of Departments to submit fresh reports in time as required under Articles 913 of the Financial and Account Code Part I. So, I move the resolution for the unanimous acceptance of the House. A perusal of the Reports of last year about the deliberations of the Public Accounts Committee and the Audit and Appropriation Report for 1112, will show that at least 3 departmental heads had submitted surrender reports in time. But this year, it is seen that only the Financial Secretary submitted such report. So, the position is getting worse and worse. I would therefore earnestly appeal to the House to consider that aspect of the question very seriously and give their unanimous acceptance to my resolution.

MR. KAINIKKARA M. PADMANABHA PILLAI: I second it.

MR. M. GOVINDA PILLAI: Sir, Government fully appreciate the object underlying the resolution moved by the honourable member Mr. T. P. Velayudhan Pillai. The extract he has himself read makes it clear that the important question which he has raised has engaged the attention of Government; it has not escaped their notice. I may assure the House that as soon as the year closed and as soon as the Audit Department brought it to the notice of Government that several Heads of Departments had not complied with the provisions of the Financial and Account Code, Government did take the necessary steps; they have called for explanations from the officers concerned. I can assure the House that Government will never shut their eyes to such conduct on the part of any of their officers; none of them will escape punishment if it is found that their explanations are unconvincing or otherwise unsatisfactory. I can only repeat that even before Mr. T. P. Velayudhan Pillai could have thought of bringing forward this resolution here, the matter had already engaged the attention of Government, and necessary action was taken then and there.

MR. K. P. KOCHUKORATHARAKAN: ഇവരുടെ എക്സ്പ്ളനേഷൻ സാറ്റിസ്ഫാക്ടറിയാണൊ എന്നു ഈ സഭയ്ക്കു അറിയാൻ സൗകര്യം നൽകുമോ?

MR. M. GOVINDA PILLAI: That is an administrative matter. Still, if the House is anxious to know the nature of the explanations, I may assure the House that Government would not hesistate to place them before the House if they find that it would not be against public interests to disclose the nature or contents of the explanations.

One point which Mr. T. P. Velayudhan Pillai made out was with regard to grant sanctions under Section 32 and excess expenditure under voted grants. Government have to plead guilty to the charge which Mr. T. P. Velayudhan Pillai has laid at their door. But, here again, I may assure the House that Government have never been indulging in unnecessary or extravagant expenditure; they have had recourse to the provision in Section 32 only in cases of emergent and unavoidable necessity. Government will never incur any expenditure unless there is an emergency, and there are sufficient grounds to justify their invoking the aid of Section 32. It is only when such necessity arises during the interval between two meetings of the Legislature that they do it; whenever there is any possibility of taking the sanction of the Legislature they readily do it.

The other point raised by Mr. T. P. Velayudhan Pillai was that the members of the Committee had not devoted as much attention as is probably expected of them by honourable members like Mr. T. P. Velayudhan Pillai. But, from what I could gather at the meeting of the Committee everyone of them had studied the Audit and Appropriation Report, and had satisfied himself on all important matters dealt with in the Report. The only question they raised was about the Kuttanad water supply. As Financial Secretary, I had written to them in time, and I received their answers to the effect that they were satisfied with

[Mr. M. Govinda Pillai]

the explanations contained in the Report. It is solely because they had no doubts to be cleared, no complaints or criticisms to make that they did not ask for any departmental head being examined or call for further information. I know this is a matter for the Committee members themselves to answer; all the same, on their behalf, as one who was present at the meeting, I am merely submitting that it struck me that they were fully satisfied... ...

MR. KOTTALIL P ABRAHAM: May I ask whether a resolution like the one now before the House was brought before the House on any previous occasion.

MR. M. GOVINDA PILLAI I think so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask whether the usual practice of placing on the table the questions asked by the members of the Public Accounts Committee, was followed this time?

MR. M. GOVINDA PILLAI: The members had no questions to ask. I did write to them asking for their questions. Evidently they were fully satisfied with the action taken by Government and the explanation furnished on the Audit and Appropriation Report. They had no doubts to be cleared. You cannot expect questions from them when the have none to ask, or no doubts to be cleared.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): On a point of order, Sir. Is it competent for the Financial Secretary or for any other member of a committee to disclose here the details of what took place at the meetings of the committee?

MR. M. GOVINDA PILLAI: May I just point out to the Legal Remembrancer, Sir, that the Public Accounts Committee is a statutory body composed of non-officials and officials, whose meetings are reported and such reports made available to the members of Legislature; as such there is nothing confidential in the proceedings of the meetings of the Public Accounts Committee.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Was any departmental head examined by the members of the committee?

MR M. GOVINDA PILLAI: I have already stated that they did not feel any need for any such examination.

MR. P. NARAYANA PILLAI: Is it obligatory on the part of the members of the Public Accounts Committee to examine departmental heads or to ask questions?

MR. M. GOVINDA PILLAI: Not at all.

MR. P. NARAYANA PILLAI: Is it not left to the whims and fancies of the members to do it or not?

MR. M. GOVINDA PILLAI: It may not be exactly according to their whims and fancies, but according to their requirements.

MR. P. SIVARAMA PILLAI: Was any departmental head punished for not sending his report in time?

MR. M. GOVINDA PILLAI: As I have already stated, they have been asked to explain.

MR. P. NARAYANA PILLAI: In previous years?

MR. M. GOVINDA PILLAI: Yes, there have been cases.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask whether it is according to the whims and fancies of the members or according to the Statute that the members of the committee are expected to ask questions and to examine departmental heads?

MR. M. GOVINDA PILLAI: But, it arises only when they feel any necessity to do it.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask why, even in regard to the doubt raised by Mr. N. Krishna Aiyar, the departmental head concerned was not examined?

MR. M. GOVINDA PILLAI: The question was raised only at the meeting; it was certainly not practicable for Government to summon the departmental head on the spur of the moment, without previous intimation.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is there any notice prescribed by Statute for the requisitioning of departmental heads?

MR. M. GOVINDA PILLAI: No; but, as I said, it should be practicable. Government cannot get this done in the twinkling of an eye.

MR. M. R. NARAYANA PILLAI; How long did the committee meeting last?

MR. M. GOVINDA PILLAI: If I remember right, nearly an hour.

MR. M. R. NARAYANA PILLAI: Is the statement given here "11-30 to 11-45", correct?

MR. M. GOVINDA PILLAI: It may be; I thought we had sat for nearly an hour.

MR. S. NARAYANA PILLAI: Has any minimum time limit been fixed for the duration of the meetings of the Public Accounts Committee?

MR. M. GOVINDA PILLAI: No.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: How many days did the Committee meet last year?

MR. M. GOVINDA PILLAI: Two days, I think.

The House adjourned at 5·2 p. m.

Trivandrum,
27th January 1940.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(OFFICIAL REPORT.)

SECOND ASSEMBLY.

SIXTH SESSION 1940/1115.

Tuesday the 23rd January 1940/10th Makaram 1115.

The Assembly met again in the Legislative Chamber at eleven of the Clock, with Sachivothama Sir, C. P. Ramaswamy Aiyar K. C. I. E. LL. D, the Dewan President presiding.

NEW MEMBERS.

The following members took the oath and signed the rolls :

(1) Mr. A. Gopala Menon (*Director of Public Instruction*) ;

(2) Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*) ;

(3) Mr. P. G. Narayanan Unnithan (*Ag. Excise Commissioner*) :

QUESTIONS AND ANSWERS.

Arrest of Mr. Pattom Thanu Pillai, President, Travancore State Congress.

26 *MR. K. NARAYANAPERUMAL NADAR (*Tovala cum Agastisvaram*) : Will the Government be pleased to state why Mr. Pattom Thanu Pillai, B. A., B. L., the President of the Travancore State Congress, is arrested and detained at present in the Nagercoil Civil Jail ?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*) : He has been proceeded against for disloyal and subversive activities both within and without the State.

MR. K. NARAYANAPERUMAL NADAR : May I know what those disloyal and subversive activities are ?

MR M. K. NILAKANTA AIYAR : It is not in public interests to disclose that information.

MR. K. NARAYANAPERUMAL NADAR; May I know whether the political organisation to which Mr. Thanu Pillai belongs is a subversive one ?

MR. M. K. NILAKANTA AIYAR : That has already been answered on the floor of this House on several occasions.

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G. P. T. 1740. 350.

MR. K. NARAYANAPERUMAL NADAR: May I know when Mr. Thanu Pillai was arrested ?

MR. M. K. NILAKANTA AIYAR: On the 2nd November 1939.

MR. K. NARAYANAPERUMAL NADAR: May I know why Mr. Thanu Pillai has not been tried in a court of law ?

MR. M. K. NILAKANTA AIYAR: He has been arrested and detained under the Defence of Travancore Rules, passed under the Defence of Travancore Proclamation.

MR. K. NARAYANAPERUMAL NADAR: My question is why he was not tried in a court of law.

MR. M. K. NILAKANTA AIYAR: The Government thought it necessary to take action under the Defence of Travancore Rules.

MR. K. NARAYANAPERUMAL NADAR: May I know whether it is a fact that the Nagercoil civil jail is overcrowded ?

MR. M. K. NILALAKANTA AIYAR No, Sir.

Vacancy in the Senate of the Travancore University.

27 * **MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state whether any seat in the Senate of the Travancore University has become vacant ?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice Chancellor, University of Travancore*): Yes, one.

MR. T. T. KESAVAN SASTRI: എല്ലാ പ്രധാനപ്പെട്ട സമുദായങ്ങളിൽനിന്നും യൂനിവേർസിററിയിലെ സെനററിൽ മെമ്പറന്മാരായി നിയമിച്ചിട്ടുണ്ടോ ?

MR. C. V. CHANDRASEKHARAN: The composition of the Senate has not been examined on that basis.

PRESIDENT: I think the honourable member wants to know whether the possibility of nominating unrepresented communities will be considered.

MR. C. V. CHANDRASEKHARAN: That is a suggestion for future action.

MR. T. T. KESAVAN SASTRI: യോഗ്യതയനുസരിച്ച് പിന്നോക്കസമുദായങ്ങളിൽനിന്നും ഒരാളെ യൂണിവേർസിററിയിലെ സെനററിൽ മെമ്പറായി നിയമിക്കണമെന്ന് ഗവണ്മെന്റിലേക്ക് ശുപാർശ ചെയ്യാൻ ദയവുണ്ടാകുമോ ?

MR. C. V. CHANDRASEKHARAN: It is not a question Sir, it is a suggestion for future action which will of course receive due consideration.

Thatchu Sastra in the University.

28 * **MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether they or the University have received any representation regarding *Thatchu Sastra* being taught in the University; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps taken in the matter ?

MR. C. V. CHANDRASEKHARAN: (*a*) Yes.

(*b*) The question is under consideration.

Chengamanad Malayalam Primary School.

29 ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to state what action they have taken to remove the hardships caused to pupils in the Chengamanad Malayalam Primary School in Parur taluk due to want of sufficient accommodation?

MR. A. GOPALA MENON (*Director of Public Instruction*): A revised estimate for a shed for providing additional accommodation has been called for.

Reconstructing the St. Philomena's English Middle School and the Malayalam Primary School at Koonammavoo.

30 ***MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state whether any Government grant has been made for the purpose of reconstructing the St. Philomena's English Middle School and the Malayalam Primary School at Koonammavoo in Parur taluk?

MR. A. GOPALA MENON: No.

Checking of certain amounts provided for in the Budget.

31. ***MR. M. R. NARAYANA PILLAI** (*Tiruvalla*): Will the Government be pleased to state what means they have at present to ascertain how the amounts provided for in the annual budget are spent in respect of:

(*a*) the purchase of books and periodicals; and

(*b*) the purchase and repairs of furniture?

MR. M. GOVINDA PILLAI (*Financial Secretary to Government*): (*a*) & (*b*) The expenditure on these two items is separately booked in accounts and the progress in expenditure from time to time is watched against the budget allotments.

MR. M. R. NARAYANA PILLAI: May I know whether the Government have issued directions from time to time in the matter of checking certain amounts provided for in the budget and verified how they have been spent?

MR. M. GOVINDA PILLAI: The Government have not issued any definite instructions on that point, but there are general instructions to regulate such expenditure.

MR. M. R. NARAYANA PILLAI; Am I to understand that audit takes place from time to time in the matter of checking the amounts provided for in the budget?

MR. M. GOVINDA PILLAI: Yes, Sir. Whenever the audit staff goes out on inspection, they take particular care to see whether the expenditure under those items is within the limits of the budget allotments.

Representations from toddy shop contractors.

32 *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(a) whether they have received representations from toddy shop contractors in the State regarding the necessity of granting remissions in the kist; and

(b) if so, whether any such remission has been given?

MR. P. G. NARAYANAN UNNITHAN (*Ag. Excise Commissioner*):

(a) Yes.

(b) No remission has ben granted this year.

Particulars regarding Assistant Excise Commissioners.

33 *MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*): Will the Government be pleased to lay on the table a statement furnishing particulars under the following heads in regard to Assistant Excise Commissioners in the Travancore Excise Department:

(a) their number,

(b) their caste;

(c) if Travancoreans, the taluks to which they belong; and

(d) if non-Travancoreans, the countries to which they belong?

MR. P. G. NARAYANAN UNNITHAN A * statement is laid on the table.

MR. K. P. KOCHUKORA THARAKAN: തിരുവിതാംകൂറിൽ യോഗ്യതയുള്ളവർ ആരുമില്ലാതിരുന്നതുകൊണ്ടാണോ അസിസ്റ്റൻറ് എക്സൈസ് കമ്മീഷണരായി ഒരാളെ മദ്രാസ് പ്രസിഡൻസിയിൽനിന്നും വരുത്തിയിട്ടുള്ളത്?

MR. P. G. NARAYANAN UNNITHAN: The appointment was made some years ago and it is not possible to answer the honourable member's question at this moment.

Recognition and grant to S. N. V. Sanskrit School.

34 *MR. A. K. KUMARAN VAIDYAN Will the Government be pleased to state whether they have received from the S. N. V. Sanskrit School Parur, applications requesting to give the same institution recognition and grant, and if so, reasons for not granting the same?

MR. A. GOPALA MENON Yes. The school is one that was opened without permission from the Department and the manager has been asked to apply for formal permission as per Rule 134 of the Education Code.

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* *Vide* Appendix I—page

The Perumbavoor English High School.

35 ***MR. K. P. KOCHUKORA THARAKAN** (1) Will the Government be pleased to lay on the table a statement showing the number of students in each of the classes (Preparatory class and Forms I, II, III and IV) in the Perumbavoor English High School and the number of girls studying in each class?

(2) Will the Government be pleased to state:

(*a*) whether there are at present any lady teachers in the Perumbavoor English High School; and

(*b*) whether it is usual to appoint lady teachers in the departmental boys' schools where there are a large number of girls, and the percentage of girl students there ought to be in schools where lady teachers are generally appointed?

MR. A. GOPALA MENON

(1)

		Total No. of pupils.	*No. of girls.*
Preparatory Class	...	48	22
Form I	...	59	12
Form II	...	50	10
Form III	...	48	12
Form IV	...	37	10

(2) (*a*) No.

(*b*) Yes; No percentage has been fixed.

MR. K. P. KOCHUKORA THARAKAN: പെൺകുട്ടികളുടെ പെർസെൻറേജ് എത്രയാണെന്നു തീരുമാനിച്ചിട്ടില്ല എന്ന് മറുപടിയിൽ പറയുന്നു. എന്നാൽ പെരുമ്പാവൂർ ഇംഗ്ലീഷ് ഹൈസ്ക്കൂളിലെ ആൺകുട്ടികളുടേയും പെൺകുട്ടികളുടേയും ഒരു ലിസ്റ്റ് മറുപടിയിൽ കാണിച്ചിട്ടുണ്ട്. പെൺകുട്ടികൾ ആ സ്കൂളിൽ ധാരാളമായി ഉള്ള സ്ഥിതിക്ക് ഒരു സ്ത്രീവാദ്ധ്യാരെക്കൂടി അവിടെ നിയമിച്ചുകൂടെ?

MR. A. GOPALA MENON: പ്രായംചെന്ന പെൺകുട്ടികളുടെ എണ്ണം വർദ്ധിക്കുന്നതനുസരിച്ചാണ് ലേഡി ടീച്ചേർസിനെ നിയമിച്ചുവരാറുള്ളൂ. അതുകൊണ്ട് പെൺകുട്ടികളുടെ എണ്ണം വർദ്ധിക്കുമ്പോൾ അതിനെപ്പറ്റി ആലോചിക്കുന്നതാണ്.

MR. K. P. KOCHUKORA THARAKAN: മൂന്നും നാലും ഫാറങ്ങളിൽ വ വ പെൺകുട്ടികൾ ഉണ്ടെന്നു കാണുന്നു. അവർ പ്രായക്കൂടുതലുള്ളവരായിരിക്കും. അതുകൊണ്ട് ഇപ്പോഴത്തെ നിലയ്ക്ക് ഒരു ലേഡീ ടീച്ചറെ അവിടെ നിയമിക്കാൻ പാടില്ലേ?

MR. A. GOPALA MENON: അതിനെപ്പറ്റി ആലോചിക്കുന്നതാണ്.

Statement by caste of Excise Inspectors.

36 *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to lay on the table a statement, by caste, of Inspectors in each grade of the Travancore Excise Department?

MR. P G. NARAYANAN UNNITHAN: *statement is laid on the table.

Weight of Mr. A. Sankara Pillai, prisoner in the Central Jail.

37 * MR. K. NARAYANAPERUMAL NADAR (*Tovala cum Agastisvaram*): Will the Government be pleased to state the present weight of Mr. A. Sankara Pillai B. A., B. L., who is a prisoner in the Central Jail?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*): 143 lbs.

MR. K, NARAYANAPERUMAL NADAR: May I know whether it is not the practice in the State to release the leading political prisoners when their weight is considerably reduced.

MR. M. K. NILAKANTA AIYAR: No. There are no prisoners called political prisoners.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the practice of releasing the prisoners when their weight decreases is obtaining now-a-days?

MR. M K. NILAKANTA AIYAR: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know why that practice is not being followed when it is allowed in British India?

PRESIDENT: Will the member please repeat that point?

MR. K. NARAYANAPERUMAL NADAR: In British India when a prisoner's weight becomes considerably reduced he is released from the jail.

PRESIDENT: Where is that information from?

MR. K. NARAYANAPERUMAL NADAR: I got that information from the various newspapers.

PRESIDENT: That information is absolutely wrong.

MR. K. NARAYANAPERUMAL NADAR: That was the case with regard to Mr. Jamnalal Bajaj.

PRESIDENT: It is absolutely inaccurate.. I was in charge of Jails for a period of 5 years.

The Trivandrum Pre-Audit Treasury.

38 *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Kartigapally*): Will the Government be pleased to state:

(*a*) whether cash balance is checked and closed every day in the Trivandrum Pre-Audit Treasury; and

(*b*) whether any defalcation has been found out there at any time?

**Vide* Appendix II—page.

MR. M. GOVINDA PILLAI (*a*) Yes.

(*b*) No.

MR. KANNANTHODATH JANARDANAN NAIR: Is it not a fact that because the cash balance is checked and closed every day, no defalcation has occurred in the Trivandrum Pre-Audit Treasury?

MR. M. GOVINDA PILLAI: Tht is exactly the point.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether that system is being followed in other departments as well?

MR. M. GOVINDA PILLAI: That is the practice in all the Treasuries Every day cash balance is checked and closed.

MR. KANNANTHODATH JANARDANAN NAIR: My question is whether the cash balance is checked and closed in every other department as well every day?

MR. M. GOVINDA PILLAI: I believe that is being rigidly adhered to.

Collection in the Transport Department.

39 ***MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to state:

(*a*) the amount collected as passenger fare by the Transport Department on the Warkala special line, Thiruvallam line, Sankumukham line and Cape Comorin line on the 28th, 29th and 30th Karkatakam 1114; and

(*b*) the total collection in passenger fare on the above dates and the total collections on the corresponding dates of the previous month?

MR. K. SANKARAN (*Ag. Secretary to Government*):

	Dates.								
	28-12-1114			29-12-1114			30-12-1114.		
	Rs.	Ch.	C.	Rs.	Ch.	C.	Rs.	Ch.	C.
(*a*) i. Warkala Special (for three dates)	...			...			182	8	0
ii. Thiruvallam Special (for one day only)	Nil			74	15	0	Nil.		
iii. East Fort—Shankumugam	10	9	0	92	12	0	14	8	0
iv. Nagercoil-Cape Comorin	208	1	0	550	9	0	226	20	0

(*b*) Date.	Total Collection.			Date.	Total Collection.		
	Rs.	Ch.	C.		Rs.	Ch.	C
28-11-1114	1931	25	8	28-12-1114	2017	10	8
29-11-1114	2143	1	0	29-12-1114	2196	8	0
30-11-1114	2266	21	0	30-12-1114	2342	12	0

Gradation list of the non-gazetted staff of the Registration Department.

40 *MR. MURUKUMPUZHA V. KUNJUKRISHNAN (*Neyyattinkara* cum *Trivandrum*): Will the Government be pleased to state :

(*a*) whether a gradation list of the non-gazetted staff of the Registration Department has been recently prepared ;

(*b*) if the answer to part (*a*) is in the affirmative, what is the principle under which the seniority and rank of the staff are fixed—is it their date of first appointment, continuous service, aggregate service or any other criterion : and

(*c*) whether the objections of the members of the staff concerned were called for before the list was made final ?

MR. K. SANKARAN : (*a*) No.

(*b*) & (*c*) These do not arise in view of the answer to part (*a*).

MR. MURUKUMPUZHA V. KUNJUKRISHNAN : May I know whether there is a gradation list in that department?

MR. K. SANKARAN : Yes.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN : May I know when it was prepared ?

MR. K. SANKARAN : That list was prepared in 1935.

Applications for loan received by the Credit Bank.

41. *MR. KANNANTHODATH JANARDANAN NAIR : Wll the Government be pleased to state :

(*a*) the number of applications for loan received by the Credit Bank up-to-date ;

(*b*) the number of loans given up-to-date ; and

(*c*) the amount thus given ?

MR. M. GOVINDA PILLAI : (*a*) 446.

(*b*) 130.

(*c*) Rs. 4,32,265.

MR. KANNANTHODATH JANARDANAN NAIR : May I know the highest amount of loan granted by the Credit Bank ?

MR. M. GOVINDA PILLAI : The highest amount, I believe, is about Rs. 20,000 in one particular case.

MR. KANNANTHODATH JANARDANAN NAIR : May I know the lowest amount paid ?

MR. M. GOVINDA PILLAI : Rs. 200.

MR. KANNANTHODATH JANARDANAN NAIR : May I know the percentage of loan given to the agriculturists ?

MR. M. GOVINDA PILLAI : I may inform the Honourable Member that the information supplied to the House is the information furnished by the courtesy of the Credit Bank and therefore the Government are not in a position to give further details.

MR. KANNNANTHODATH JANARDANAN NAIR : In view of the fact that the information has been supplied by the Credit Bank, does not my question relating to the percentage of loan granted to the agriculturists arise as a natural corollary?

MR. M. GOVINDA PILLAI : I claim notice.

MR. KANNANTHODATH JANARDANAN NAIR : Sir, on a point of order. The question that I put just now is a natural corollary to the main question. That being the case, my point is whether the honourable member can claim notice.

PRESIDENT : The Credit Bank is a separate institution unconnected with Government. But, as Government have taken interest in its inception and are interested equally in its working, they have asked the Credit Bank to supply all information which the honourable members of the House are anxious to obtain. The honourable member who speaks on behalf of Government in this matter does so on information furnished by the Credit Bank. Although he might have got certain specific information, he might not have thought that the corollary which the honourable member has in his mind was a necessary or essential corollary and therefore he might not have armed himself with the necessary information. That is the reason why he claims notice.

Second languages taught in English Schools.

42. ***MR. M. R. NARAYANA PILLAI** : Will the Government be pleased to state what are the second languages taught in the English Schools in the State?

MR. A. GOPALA MENON : Malayalam, Tamil, Sanskrit, Arabic, Latin, French and Hindi.

MR. M. R. NARAYANA PILLAI : May I know in how many schools Sanskrit is taught as the second language?

MR. A. GOPALA MENON : I claim notice.

Reduction in the staff of the Malayalam Training Schools.

43 ***MR. P. NARAYANA PILLAI** (*Mavelikara cum Kunnattur*) : Will the Government be pleased to state:

(*a*) whether there has been a general reduction in the staff of the Malayalam Training Schools in the year 1115; and

(*b*) the number of schools wherein such a reduction of staff has been effected?

MR. A. GOPALA MENON : (*a*) Yes.

(*b*) 10 Training Schools.

Sri Vijayananda Gurukula Vidya Peetam Sanskrit High School, Kaviyoor.

44 ***MR. M. R. NARAYANA PILLAI** : Will the Government be pleased to state the reasons for refusing permission to open classes IV to VI in the Sri Vijayananda Gurukula Vidya Peetam Sanskrit High School, Kaviyoor?

MR. A. GOPALA MENON: The consideration of the question of opening classes IV to VI has been postponed till the present classes are removed from the temporary shed and rented building, to the permanent building proposed to be put up for the use of the school.

MR. M. R. NARAYANA PILLAI: May I know the reason why certain classes have been asked to be removed from the existing building even though there is sufficient accommodation?

MR. A. GOPALA MENON: The undertaking is that a new building will be put up and a plan has been approved by the department. Therefore, until that building is put up, the opening of further classes will be stopped.

MR. M. R. NARAYANA PILLAI: Is it not the practice of Government to accommodate the classes in a rented building whenever chances arise?

MR. A. GOPALA MENON: In some cases it is.

MR. M. R. NARAYANA PILLAI: Then, may I know why the Director of Public Instruction is insisting upon the removal of the school to a permanent building?

MR. A. GOPALA MENON: That was one of the conditions imposed on 20-9-38 in sanctioning class III.

Supply of tarpaulin or other water-proof cloth to buses run by the Transport Department.

45 ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state whether tarpaulin or other water-proof cloth is supplied to each of the buses run by the Transport Department for protecting the bedding, portmanteau and other belongings of the passengers which they have to keep, during their journey in rainy seasons, at the top of the buses and which are likely to become spoiled if exposed to rain?

MR. K. SANKARAN: Yes.

MR. K. P. KOCHUKORA THARAKAN: ബസ്സുകാൎക്കു കൊടുത്തുവരുന്ന വാട്ടർപ്രൂഫ് തുണി അവർ ശരിയായി ഉപയോഗിച്ചുവരുന്നുണ്ടോ എന്നുള്ള വിവരം അറിയാമോ?

MR. K. SANKARAN: അവർ അതിനെ ശരിയായിതന്നെ ഉപയോഗിക്കുന്നുണ്ടു്.

MR. K. P. KOCHUKORA THARAKAN: അതിനെ ശരിയായി ഉപയോഗിക്കുന്നില്ലെന്നു വല്ല പരാതിയും കിട്ടിയിട്ടുണ്ടോ?

MR. K. SANKARAN: അതിനെക്കുറിച്ച് ഒരു പരാതി കിട്ടിയിട്ടുണ്ട്.

MR. K. P. KOCHUKORA THARAKAN: അതു് എപ്പോഴാണെന്നു പറയാമോ?

MR. K. SANKARAN കഴിഞ്ഞ തുലാവർഷക്കാലത്താണ്.

MR. K. P. KOCHUKORA THARAKAN. ബസ്സുകൾക്കു കൊടുത്തുവരുന്ന വാട്ടർ പ്രൂഫ് തുണിക്ക് നീളവും വീതിയും കുറവാണോ?

MR. K. SANKARAN: നീളത്തിനും വീതിക്കും ഒരു കുറവുമില്ല. ചില അസാധാരണ സന്ദർഭങ്ങളിൽ മാത്രമാണ് അതിന്റെ ഉപയോഗം ശരിയായി പ്രയോജനപ്പെടാതെവരുന്നുള്ളു.

Urinals or latrines on way-side stations in Transport bus lines.

46 ***MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to state.

(a) whether the Transport Department, the Public Health Department, or the Municipalities have constructed urinals or latrines for the convenience of passengers on way-side stations in Transport bus lines where the buses stop for not less than five minutes; and

(b) if so, whether they will be pleased to lay on the table a statement showing the names of stations where and the Department by which such conveniences have been provided and at what distance from the stations such urinals etc., have been constructed?

MR. K. SANKARAN: (a) No.

(b) Does not arise.

MR. K. P. KOCHUKORA THARAKAN : ബസ്സ്റ്റാന്റുകളിൽ യൂറിനൽ സ്ഥാപിച്ചിട്ടില്ലാത്തതുകൊണ്ടു് യാത്രക്കാർക്ക് അസൌകര്യം ഉണ്ടായിട്ടുള്ളതായി ബോദ്ധ്യപ്പെട്ടിട്ടില്ലേ?

MR. K. SANKARAN: യാത്രക്കാർക്ക് അതുകൊണ്ടു് അസൌകര്യം ഉണ്ടായിട്ടുള്ളതായി യാതൊരു പരാതിയും കിട്ടിയിട്ടില്ല.

MR. K. P. KOCHUKORA THARAKAN : ൪൦ മൈൽദൂരം ബസ്സിൽ യാത്രചെയ്താൽ ഇടയ്ക്കു് യാത്രക്കാർക്കു മൂത്രം ഒഴിക്കേണ്ട ആവശ്യം ഉണ്ടാകുകയില്ലാ എന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. K. SANKARAN: അങ്ങിനെ തോന്നുന്നവർക്ക് അതിലേക്ക് അവിടവിടെ വേണ്ട സൌകര്യമുണ്ടായിരിക്കും.

MR. K. P. KOCHUKORA THARAKAN: ബസ്സ് സ്റ്റാന്റുകളിൽ അങ്ങിനെയുള്ള സൌകര്യം ചെയ്തിട്ടുണ്ടോ എന്ന ചോദ്യത്തിനു ഇല്ലെന്നു മറുപടി പറഞ്ഞിരിക്കുന്നു. അതുകൊണ്ടാണ് ഞാൻ ഈ ചോദ്യം ചോദിച്ചതു്.

MR. K. SANKARAN : ട്രാൻസ്‌പോർട്ട് ഡിപ്പാർട്ടുമെൻറിൽനിന്നും അങ്ങിനെയുള്ള സൗകര്യം ചെയ്തിട്ടില്ലെന്നാണ് ഞാൻ പറഞ്ഞത്. എന്നാൽ മുനിസിപ്പാലിററിയിൽനിന്നും മുമ്പുതന്നെ ചില സ്ഥലങ്ങളിൽ അതിലേക്ക് ചെയ്തിട്ടുള്ള സൌകര്യം യാത്രക്കാർക്കും പ്രയോജനപ്പെടുത്താവുന്നതാണ്.

Malayalam Primary School in Ockal.

47. *MR. A. K. KUMARAN VAIDYAN : Will the Government be pleased to state :

(*a*) whether there is a Malayalam Primary School in Ockal;

(*b*) if so, whether they have received any application for constructing any additional sheds ; and

(*c*) if so, when ?

MR. A. GOPALA MENON : (*a*) Yes.

(*b*) Yes.

(*c*) In the years 1937 and 1938.

Fruit Farms in North Travancore.

48. *MR. K. P. KOCHUKORA THARAKAN : Will the Government be pleased to state :

(*a*) whether they are aware that North Travancore is suitable for opening of fruit farms ;

(*b*) if so, whether the Government or the Department of Agriculture has done anything till now to encourage fruit cultivation in North Travancore and, if so, the measures adopted in that direction ?

MR. K. R. NARAYANA AIYAR (*Director of Agriculture and Fisheries*) :

(*a*) Yes.

(*b*) There was a proposal to open a Fruit Farm in the High Ranges some years ago, but in view of the heavy expenditure involved in it, the proposal had to be dropped by Government. To encourage the cultivation of fruits, reliable seeds and seedlings raised in the Fruit Farm, Cape Comorin, are sold to the public at minimum costs. Ryots from all parts of the State including those from North Travancore, who are interested in fruit culture, can avail themselves of the facilities provided in the above Farm.

Concession for the transport of eggs.

49. *MR. K. NARAYANA PERUMAL NADAR : Will the Government be pleased to state :

(*a*) whether the Travancore Government recently addressed the South Indian Railway Administration for securing some concession in freight for the transport of eggs from Quilon and Kottarakara to Egmore, Madras ; and

(*b*) what those concessions are ?

MR. K. R. NARAYANA AIYAR : (*a*) Yes.

(*b*) The railway concession granted by the South Indian Railway is one-third parcel rates (Re. 1-9 as per maund) for the eggs packed in specially designed containers as aganist half parcel rates (Rs. 2-5-0 per maund) and one-sixth parcel rates (Re. 0-13 per maund) for the empty containers as against one-fourth parcel rates (Re. 1-3-0 per maund) for empty containers returned.

Chassis ordered by the Transport Department.

50. *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state:

(*a*) the number of chassis ordered by the Transport Department for use on the lines to be opened shortly; and

(*b*) with whom the order is placed?

MR. K. SANKARAN: (*a*) 28.

(*b*) Messrs. Gereral Motors (India) Ltd., Bombay.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the engines ordered are for Diesel Engines or petrol engines?

MR. K. SANKARAN: For petrol engines.

MR. T. T. KESAVAN SASTRI: ഈ ഷേസിസ്സുകൾക്ക് എന്തു വിലവരുമെന്ന് പറയാമോ?

MR. K. SANKARAN: Rs. two thousand and odd, for each chasis.

MR. K. P KOCHUKORA THARAKAN: അതിൻെറ ബാഡികൾ ചെയ്യിക്കുന്നതിന് എന്തു ചിലവായിട്ടുണ്ട്?

MR. K. SANKARAN: എന്ത്ര രൂപാവീതം വേണ്ടിവരുമെന്നാണ് എസ്റ്റിമേററ തയ്യാറാക്കീട്ടുള്ളത്.

Appendix I

Vide Answer to Question No. 33

Statement showing the particulars regarding the Assistant Excise Commissioners.

(A) *Number.*	(B) *Caste.*		(C) *Travancoreans. Taluks to which they belong.*		(D) *Non-Travancoreans. Countries to which they belong.*
10	HINDU.		Agastiswaram	1	Madras Presidency 1
			Kalkulam	1	
	Brahmins	2	Trivandrum	1	
	Nayars	7	Quilon	1	
	Ezhava	1	Kottarakara	1	
			Thiruvalla	1	
			Kottayam	1	
			Ambalapuzha	2	

Appendix II

Vide Answer to Question No. 36

Statement, by caste, of Excise Inspectors in the different grades.

	Grade. I	II	III
A. HINDU			
1. Brahmin	2	3	1
2. Nair	9	13	14
3. Kammala	...	...	...
4. Nadar	...	...	...
5. Ezhava	3	1	4
6. Cheramar (Pulaya)	...	...	...
7. Other Hindu	2	1	4
B. MUSLIM	...	1	...
C. CHRISTIAN			
1. Jacobite	...	2	2
2. Marthomite	...	...	1
3. Syriac Catholic	...	3	4
4. Latin Catholic	...	1	...
5. South India United Church	1	1	...
6. Other Christian	...	1	...
Total	17	27	30

ADJOURNMENT MOTIONS.

PRESIDENT: As I said yesterday certain number of adjournment motions were handed to me and I find that today also I am in receipt of some more of the kind. The first of them is in the name of Mr. Jebamony Nadar. It reads,

> "That the business of this Chamber be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the recent Nair-Ezhava Conference held at the official residence of the Dewan and the impression that it has produced in the minds of those loyal subjects of His Gracious Highness the Maharaja who belong to the minority communities".

I hold that the motion proposed is in order. But I wish to know whether the member has the leave of the House to move the adjournment motion.

MR. KAINIKARA M. PADMANABHA PILLAI (*Changanachery* cum *Peermade*): Sir, I object.

PRESIDENT: As the rule requires that 14 members should stand up in favour of the motion and as 2 members alone have voted for the motion, it cannot be allowed for discussion in the House.

The next motion stands in the name of Mr. K. Narayanaperumal Nadar. It reads,

> "I intend to move a motion for the adjournment of the business of the House for the purpose of discussing a matter of recent and urgent public importance, namely, the serious situation created in the State, by the Chief Secretary's unconvincing reply on the 18th September 1939 to the State Congress President's letter seeking a resumption of the talk on constitutional reforms with the Dewan".

PRESIDENT: I hold that the motion is in order. But I would like to have the opinion of the House as to whether the member has the leave of the House to move the motion.

MR. PADIYARA JOSEPH KUNJU (*Changanachery* cum *Peermade*): Sir, I object.

PRESIDENT: Since the requisite number of members has not supported the moving of the motion as per the rules, the motion is inadmissable.

The third motion stands in the name of Mr. M. R. Narayana Pillai. There are three other motions dealing with the same subject. I shall give the text of them one by one. The first is,

> "I beg leave to move for the adjournment of the business of the House to discuss a matter of urgent public importance, namely, the strenuous efforts on the part of the decree-holders to expedite sales of immovables and other properties and the execution of decrees of courts in view of the sudden postponement of the introduction of the Debt Relief Bill which postponement has caused great discontent throughout the country"

Mr. G. Velu Pillai's motion is,

> "I beg leave to move for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the serious situation arising out of the postponement of the introduction of the Travancore Debt Relief Bill in the Sri Mulam Assembly."

Mr. Padiyara Joseph Kunju's motions are these:

"I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the dropping of the Travancore Debt Relief Bill from the agenda of this meeting of the Sri Mulam Assembly."

"I move that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the situation created by the delay in introducing necessary legislation regarding debt relief although it was included in the original agenda of the business of this session of the Assembly."

These are the motions relating to the Debt Relief Bill. I hold that the motions are in order. Does anybody object?

(There was no dissenting voice.)

I hold that the motions are in order and they will be discussed this afternoon.

I have received another motion from Mr. T. P. Velayudhan Pillai. It is as follows:—

"I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, *viz.*, the serious situation arising from the Notification R. O. C. No. 589/39/C. S., dated 18th September 1939, regarding the "General Holidays" and "Special Holidays" for the State, and class of persons or communities. respectively".

I hold that the motion is in order and it will be discussed tomorrow at 3. 30 p. m.

There is another motion by Mr. P. S. Muhamed, which reads thus:—

"I move that the business of the day be adjourned for the purpose of discussing the situation created by the declaration of plague infection in certain areas of the State and the difficulties and hardships caused to the merchants and the people as a result of the measures taken by the authorities in the name of plague".

I do not know whether it will be to the interest of the State that we should discuss the whole details of the plague situation. But if all that is required is an account or a general idea of what is being done by Government, I think it will be possible to make the matter clear. I hold that the motion is in order and I am prepared to give a day for its discussion. But after knowing the policy of the Government and what has been done by them till now, the mover of the motion may not like to divide the House on that point.

The question of plague is a serious one. There are signs of plague in Quilon and Alleppey. So far as our information goes, those symptoms have been due to infection from outside places. We are not perfectly sure what those outside places are. But all indications point out that rat-falls have occurred in godowns where goods have been brought and stored from Cochin. Therefore the natural presumption is that it is the rice and other materials coming from Cochin that bring in plague into this State. Fortunately the ravages of plague have not been severe so far. I am able to assure the House that the information that we have is that the situation is well under control both at Alleppey and Quilon. It has unfortunately become necessary to restrict the movement of boats and *valloms* in consequence of the cyanogassing. I am glad to assure the House that it has been found possible by negoti-

ations to make it easy for the Travancore Health Department to inspect the cyanogassing done in Mattancherry itself. Hereafter it would not be necessary to stop any boat or *vallom* because arrangements are made at Mattancherry, for cyanogassing with the co-operation and in the presence of Cochin and Travancore officials. So far as the present difficulty of congestion in boats are concerned, it is a lamentable fact. Certain orders have been issued and instructions given with regard to this matter. I realise that it is not the difficulty of private individuals alone but also of the State. Honourable members will realise that lessening the number of boats bringing imports, makes for a decrease in the number of boats available for exports. It should be remembered that one of our main sources of income is export duty. So it is not in the interests of the State to keep those boats and *valloms* hanging about for long. Every step will be taken to reduce the delay. I do not think any amount of precaution, however confronted with temporary losses, is too much for the purpose of preventing plague which has been kept away from our shores for so long a time. Bearing that point in mind I would ask the member in charge of the motion whether he wants to go on with the motion.

MR. P. S. MUHAMED (*Quilon* cum *Kottarakara*): No, Sir. I wish to withdraw the motion.

(The motion was withdrawn.)

MR. C. JEBAMONY NADAR: Sir, I rise to a point of order. Rule 20 of the Legislative Rules says :—

> "A motion for an adjournment of business of either Chamber for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President."

Then Standing order No. 14 says :—

> "Leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon."

These rules, I take it, refer to the asking of leave at two stages, one from the President and the other from the House. Now, under the rules, all notices have to be left with the Secretary. Supposing a member who has so left a notice of adjournment motion does not get the consent of the President at or before question time or supposing no intimation is communicated to him, can it be a case of want of diligence on the part of the honourable member if he does not get up to move the motion soon after question time? I wish to know also as to the time and manner of obtaining the consent of the President.

PRESIDENT: There is a certain amount of confusion in the matter. Standing Order No. 46 prescribes the condition precedent to the operation of the rule, *viz.*, that the motion for adjournment when sent in will not be read by the President unless he gives consent to it. When these motions are left with the Secretary and if the honourable member is in his place and it is clear that he is anxious to

[President.]

move the motion, then the further procedure begins to operate. Supposing it is against public interests to advert the motion in the House, then it will never come before the House. When it comes before the House and the President reads it, it means that he has given consent to it. That alone is not enough. It is open to the President to stand on technicalities and say that the honourable member should ask for leave to make the motion. That is the correct technical rule. But that rule has not been strictly adhered to here. By convention it is taken for granted that he makes the motion for leave and thereupon the President gives his ruling. If the rule is to be strictly adhered to, then, after question time the honourable member should get up in his seat and say that he wishes to make an adjournment motion and then the President will say that he has received notice of an adjournment motion before giving consent for the motion being made. If the honourable members, by general consent, want the full process to be gone through, there is no objection to follow the rules in their logical conclusions.

MR. C. JEBAMONY NADAR: Supposing the President does not read the adjournment motion. In that case can it be said that the member in charge of the motion was not vigilent in standing up and asking for leave to make the motion ?

PRESIDENT: I do not know what the learned member is referring to. He is probably referring to some observations of mine or that of the honourable Deputy President. The honourable member who has sat down just now is right in saying that yesterday a mistake was committed by the Chair in so far as the Chair did not announce that notice of a motion for adjournment has been received before the occupant of the Chair withdrew. To that extent, the honourable member is prefectly right.

The House will now resume discussion of the Audit Report and Appropriation Accounts.

DISCUSSION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE—(*contd.*)

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvalla*): Sir, the reply given by the Financial Secretary regarding the violation of the rule laid in Article 930 of the Financial and Account Code, Part I, by all Heads of Departments except the Financial Secretary was neither convincing nor satisfactory. In regard to the invariable violations of this Rule, the Financial Secretary used to assure the House on similar previous occasions also that he would see that the mistake was not committed in future. But a comparison of the Audit Report and Appropriation Accounts, for the year 1113 with that of the year 1112 will show that the result was becoming worse and worse. When at least three of the Heads of Departments complied with this rule in 1112, it will be seen from the Audit Report of the year 1113 that no other departmental

head excepting the Financial Secretary cared to comply with th most important rule. If this rule cannot be made to be strictly complied with by the Heads of Departments I do not see any reason why we should have such a rule as a dead letter. The results of the violation of this salutory rule are far reaching in its effect as the su p's funds remaining in the hands of the Heads of Departments, which uld have been utilised for urgent public needs will naturally become locked up unnecessarily.

It is equally disappointing and regrettable to find that the members first elected by both the Houses of the Legislature to the Public Accounts Committee to examine the accounts of the year 1113 were not enabled to function as such on account of the accounts not having been made ready for the scrutiny of these members. This, of course, is tantamount to a disrespect shown to the Legislature which had the privilege of electing those members to the Public Accounts Committee. Any how, I trust that better results will be shown in future years and hence I do not wish to press this motion.

PRESIDENT : Has the Financial Secretary anything to say?

MR. M. GOVINDA PILLAI (*Financial Secretary to Government*) : I have given detailed explanation to the several points that he has urged yesterday.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, in view of the explanation given by the Financial Secretary I do not press the motion. I move the second resolution that stands in my name. It reads thus:—

> "This Assembly recommends to Government that stringent and exemplary steps be taken against public servants who commit frauds and misappropriation of Government money".

The object of this resolution is to impress upon the Government the indispensable necessity of taking stringent and exemplary steps agianst public servants who commit frauds and misappropriatio of Government money. A perusal of the Audit Report and Appropriation Accounts of the years 1112 and 1113 will certainly convince the House that the frauds and misappropriation of Government money have always been on the increase from year to year. While 15 cases of such misappropriations and financial irregularities were brought to light in the report of the year 1112, the Audit report shows that there were 18 cases of such misappropriation in the Land Revenue Department in the year 1113. I am definitely of the opinion that the main reason for the increase in the financial irregularities and misappropriation, is the inadequacy of the punishment and the inordinate delay in passing final orders awarding punishments to the delinquents concerned. Chapter V of the Audit Report shows that in 44 cases of financial irregularities and misappropriations reported in 1112 final orders have not yet been passed by the Government. This shows that there is inordinate delay in passing final orders awarding punishment to the delinquents. The belated punishments to the delinquents will certainly detract much from the diterrent effect of such punishments.

[Mr. Puliyoor T. P. Velayudhan Pillai.]

In many cases of misappropriations reported in the Audit report, the punishments awarded to the delinquents do not appear to be sufficient and adequate. They are only nominal. Paragraphs 40, 52, 53 and 55 of the Audit Report will bear testimony to my statement. Paragraph 40 of the Report shows as follows, a case of misappropriation to the extent of Rs. 601-7-1 :—

"A case of misappropriation of Government money to the extent of Rs. 601-7-1 by a clerk of an industrial institution was brought to light by the Out Audit staff of the Account Office when they audited the accounts of the institution in 1113. The amount represented the stipends and caution money drawn in excess and shown as disbursed to the apprentices who underwent training in the institution Under the rules, stipends are not payable to apprentices for periods of their absence. But it was observed in the course of audit, that stipends were drawn in certain cases for periods of absence also and shown as disbursed to the apprentices. On further scrutiny, it appeared that two sets of attendance registers were maintained in the office, one by the instructors engaging classes and the other by the office. Stipends were drawn on the basis of the latter register which included also names not to be found in the class attendance register. After drawing the money the delinquent clerk adopted a device to get the acquittance of the students for all the amounts so drawn. In each case the acknowledgment of the apprentice was first obtained for the actual amount due and paid to him, and then the balance amount of stipend irregularly drawn for the period of absence, was entered just below the line and bracketted with the first, so as to imply that the acquittance had been for both the amounts. The total amount thus misappropriated by the clerk was found to be Rs. 601-7-1. He was immediately placed under suspension pending enquiry, and the amount was realised from him and remitted into the Treasury."

This is one case in which, I submit, that the punishment was inadequate. Then with regard to paragraph 53. In paragraph 53, it is stated thus :

"A sum of Rs. 146-16-0 drawn from the Pre-Audit Treasury by an Assistant Devaswom Commissioner on account of the pay of the Rameswaram Vicharanadar for the period from Mithunam 1111 to Edavom 1112 was seen to have been not disbursed to the employee. On enquiry, it was found that a clerk in the Assistant Devaswom Commissioner's Office was responsible for the non-disbursement of the amount. The Bills for the claims were prepared by this clerk himself, but they do not appear to have been passed through the Manager of the office. The clerk was placed under suspension for a period of 1 year 3 months and 9 days in all."

I again submit that this also is a sure index of the inadequate nature of the punishment awarded to delinquents who misappropriate Government money. A third instance is also mentioned in the report. This is what it says ;

"During the final closing of the accounts of the works done in connection with the Town distribution system of the Willingdon Water Works Project, it was found that materials to the value of Rs. 806 15-0 were shown as issued in excess for the works. The explanation of the then Section Officer in charge of the work was called for and he explained that the issue of materials recorded in the measurement books was based on a data worked out by him and was not as per actual quantity of materials used. Since the above explanation was not convincing, the whole matter was placed before Government and their orders solicited to adjust the over-issues by credit to the sub-heads concerned. The final orders of Government in the matter are awaited."

It is not seen whether the officer responsible was punished in any way and so I move my resolution that stringent and exemplary steps be taken against public servants who commit frauds and misappropriation of Government money, and I commend this resolution to the unanimous acceptance of this House.

MR. M. GOVINDA PILLAI: Sir, I oppose the motion. In opposing it I may state for the information of the honourable mover and the other honourable members of this House that in all cases Government have bestowed their anxious consideration, and in several cases of fraud and misappropriation which were brought to their notice, they have awarded punishments which they considered equitable and fair. There might have been delays in deciding cases but the House may rest assured that in all such cases investigations are still incomplete. Government cannot pass final orders till they are satisfied that the investigation is complete. Hence in some cases delay is certainly inevitable. So far as the particular case in the P. W. Department, I may say that the officer concerned was compulsorily retired and in regard to the other officers who were also responsible for the perpetration of the same fraud, their cases are still being investigated and Government have not come to a final decision. Mr. T. P. Velayudhan Pillai seems to be of the view that as soon as the report of a case is brought to the notice of the Government, orders should immediately follow. Sir, this is not possible unless the deinquents concerned are caught red handed.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know with regard to the 44 cases reported in 1112 whether it was impossible for the Government to get the explanation and pass their final orders till this time?

MR. M GOVINDA PILLAI: Well, Sir, probably Governments have not been satisfied with the explanations tendered or with the nature of the investigations conducted. Several points have arisen during the course of the investigation and as the decision of the Government is final they should have the satisfaction that they have passed their orders after a thorough, decent and satisfactory enquiry. In such cases delay is certainly inevitable.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reasons for the increasing nature of cases of misappropriations in the Land Revenue Department?

MR. M. GOVINDA PILLAI: Sir, sometimes the ingenuity of Government is effectively circumvented by the perversity of their own subordinates. Government are trying their best to put a stop to this form of corruption in public service, but still as long as human nature remains what it is, at times their efforts are frustrated.

MR. P. SIVARAMA PILLAI (*Menachil* cum *Todupuzha*): May I know why such cases occur in increasing numbers in the Land Revenue Department only?

MR. M. GOVINDA PILLAI: The difference in the number of cases is only 14 to 18 and I do not think that that difference is so striking as to censure the whole Department.

MR. M. SIVATHANU PILLAI (*Tovala* cum *Agastisvaram*): May I know whether the number of offenders is directly due to the kind of recruitment adopted by the Department?

MR. M. GOVINDA PILLAI I don't believe that it is due to the kind of recruitment made. But, Sir, it is due to human nature. Even if the Service Commissioner selects the best member there will be still persons who are guilty of aberrations from the right path.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether Government have devised any means to check cases of misappropriations in the Land Revenue Department after the Audit Report of 1112 was discussed?

MR. M. GOVINDA PILLAI: Government have issued stringent instructions to the Land Revenue Department as well as to the Audit Department to see that checking and inspection work should be promptly and rigorously carried on.

MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*): പണാപഹരണവും മററും നടത്തുന്ന ഉദ്യോഗസ്ഥന്മാരുടെ പേരിൽ കർശനമായ നടപടികൾ നടത്തി ശരിയായവിധം ശിക്ഷിക്കുകയാണെങ്കിൽ അഴിമതികൾ കുറയാൻ സൗകര്യമില്ലേ?

MR. M. GOVINDA PILLAI: Sir, Government feel that enquiries have been very rigorously conducted and the punishments meted out to the delinquents are fair and equitable. I may also inform the House that the Dewan has recently instructed heads of departments to bring to his personal notice cases of misappropriations and frauds so that Government may take adequate and prompt measures.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether, since the instructions issued by the Dewan, any head of the department has informed the Government of any such cases?

MR. M. GOVINDA PILLAI: The instructions were issued only a fortnight ago.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, in view of the definite assurance made by the Financial Secretary, I do not press the motion.

MR. K. NARAYANAPERUMAL NADAR (*Tovala* cum *Agastisvaram*): Sir, I move that "this Assembly recommends to Government that the Standing Rule that 'no work should be started by the P. W. Department, without first obtaining sanction to estimate and funds except in the cases of extreme emergency' be enforced with greater care."

Sir, the rule embodying this resolution is a standing one. It was passed on the 2nd May 1935. In the Audit Report of 1111 and 1112 it is seen that the department was asked to pay due attention to this rule. But the department has not paid any heed to it. The total expenditure during 1113 was 34·1 lakhs and the total amount under objection was 6·37 lakhs. The percentage of amounts spent under objection comes to 18·5 per cent or nearly 20 per cent. But the percentage of amount under objection in 1112 to total grant is only 12 %. It is clear from this that the department is going from bad to worse. If this sort of irregular expenditure is not checked in time I am afraid there will come a time when the department will spend the allotment or nearly the whole amount without sanction to estimates. The outstanding analysis of the objection is given in appendix C, page 348. If nearly 20 per cent can be objected in this manner I have no hesitation in saying that the Travancore P. W. D. is a public waste department. With these few words I move this resolution for the acceptance of this Honse.

MR. M. GOVINDA PILLAI: Sir, I oppose the resolution. If I have your permission the Chief Engineer may be asked to reply.

MR. M. S. DORASWAMI AIYANGAR (*Ag. Chief Engineer*): Sir, Mr. K. Narayana Perumal Nadar has brought forward a resolution before the House which reads thus:

> "This Assembly recommends to Government that the standing rule that 'no work should be started by the P. W. Department, without first obtaining sanction to estimate and funds except in the cases of extreme emergency' be enforced with greater care".

Page 210 – Chapter III – Irregularities on works—outlay—Para 73 of the Audit Report and Appropriate Accounts for 1113 M. E. may be perused. It is stated therein that the practice of incurring expenditure on works without estimates or in excess of sanctioned estimates still continues in the P. W. D. even though the Government and the Accounts Department have specifically invited the attention of the department to the rule prohibiting such expenditure. It is also stated that out of a total expenditure of 34·10 lakhs incurred by P. W. D. (both Capital and Revenue) during 1113 M. E. an amount of 2·88 lakhs had to be objected for want of estimates, and another amount of 3·30 lakhs on account of excess over estimates.

Except in cases of extreme urgency, works are not started by the department and expenditure incurred without sanctioned estimates and funds. In urgent cases the expenditure incurred are being regularised by sanctioning estimates subsequently or submitting memos of cost for sanction. Unless this is done expenditure is kept under objection. As per para 13 of the G. O. on Devolution of Powers "The Chief Engineer is competent to sanction in case of emergency the commencement of any original works or of any special or periodical repairs and incur expenditure up to any reasonable and necessary amount, reporting the fact forthwith to Government where the estimated cost exceeds the

[Mr. M. S. Doraswami Aiyangar.]

limit of his power to accord administrative approval and taking all steps necessary to regularise the expenditure". The details that make up the total of 2·38 lakhs held under objection for want of estimates are not available in the office.

The expenditure on the following works incurred in 1113 M. E. may be included in them.

(1) A sum of Rs. 15,926 spent on Travancore House, Madras, for works carried out during the year.

(2) Rs. 6,870 paid to Signior Omedeo, an Italian Engineer, for Investigation of Hydraulic Problems for which no sanctioned estimate was in existence.

(3) A number of works in connection with the Civil works for the Pallivasal Hydro Electric Scheme was paid for without sanctioned estimates during the year as the consolidated revised estimate for these works could not be made out during the year for want of information from the Resident Engineer then.

A satisfactory explanation can be given only after ascertaining the details from the Accountant General as this portion of the report was not furnished to the Chief Engineer for remarks before it was published.

Again, as regards excess over sanctioned estimates for which a sum of Rs. 3·30 lakhs was held under objection during 1113 M. E., it may be pointed out that the Division Officers and the Chief Engineer are competent to sanction excess expenditure over sanctioned estimates up to 5 per cent and 10 per cent respectively if such excesses were found actually necessary and unavoidable, and such excesses are sanctioned only at the time of submission of completion reports. When such excesses are sanctioned the amount of outstanding objection pointed out above under this head will automatically vanish.

In conclusion it may be said that expenditure without sanctioned estimates are incurred only in very extreme and emergent cases taking all steps to regularise such expenditure at the earliest possible date. I may in this connection invite the attention of the honourable member to Appendix A from which it will be seen that the department has shown special vigilance in clearing up such objectionable items.

The opening balance in 1113 M. E.	11·00 lakhs.
Objection accrued in 1113	6·82 lakhs.
Objection cleared up in 1113	10·94 lakhs.

This shows that the P. W. D. is earnest to minimise accumulation of arrears. In this respect the Chief Engineer is invested with certain discretionary powers which are also exercised with due care and previous consultation. In many cases such expenditure is incurred only after reporting the facts to Government pointing out the urgency and getting their informal approval, though regular sanctions are delayed till after the estimates are framed and sent up. With the assurance that the discretionary powers will be exercised only with extreme care and caution in future also, as is being done hitherto, I would suggest to the honourable member to kindly withdraw the resolution.

MR. K. NARAYANAPERUMAL NADAR : Sir, this report has been carefully prepared by the learned Financial Secretary. And he says in page 210 "The attention of the Department had several times been drawn to this rule both by Government and the Accounts Department and that the practice of incurring expenditure on works without estimates or in excess of the sanctioned estimates, still continues." In view of this statement made by the Financial Secretary in the report, how can I withdraw this resolution? So I press the Resolution.

MR. M. GOVINDA PILLAI : I may inform the honourable member that since issuing the report I have had detailed discussion on this subject with the Accountant General and the Chief Engineer, and I find that several items of expenditure have been held under objection on account of the circumstance that the Chief Engineer and the Executive Engineer, when they in the exercise of the discretion vested in them sanctioned estimates or obtained the subsequent approval of Government to the estimates concerned, did not communicate such sanctions to the Accountant General in time. If they had communicated the sanctions of such items of expenditure in time to the Accountant General, these items would not have been placed under objection in the manner done, and the observations made in the report could have been obviated thereby. I have the assurance from the Chief Engineer that hereafter he would see that expenditure incurred under "emergent" items would be communicated to the Audit Department without delay.

MR. K. NARAYANAPERUMAL NADAR : Sir, I withdraw the motion.

DISCUSSION OF THE REPORT ON THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES.

DR. G. D. NOKES (*Public Service Commissioner*) : Sir, I move that the Report on the working of the Public Service Recruitment Rules be taken into consideration.

I do not think it necessary to address to the House more than a few words by way of preliminary observations. The Government order on Public Service Recruitment dated June 1935 provided that the scheme outlined therein was to be worked for three years; and in the final paragraph it was provided that the scheme should be renewed at the end of three years in the light of the existing circumstances. The order did not provide that the review should be conducted by the legislature; but Government thought the question one of such public importance that the report of the Public Service Commissioner has been printed and circulated, and is in the possession of the members of this House Further, in view of certain interpellations during the last session of the legislature relating to the number of candidates who have been recruited and are in service, Government have ordered that the relevent statistics should be collected and consolidated and supplied to the members of this House. They are contained in the printed pamphlet with the green cover. Again, the Administration Report of the Public Service Department for last year, i. e., 1114, was prepared with special expedition, Government orders on it have been passed and it has been printed and circulated early. Thus, the position now is that the members have in their possession every essential fact and every essential figure for the purpose of the consideration of this subject,

MR. P. KUNJUKRISHNAN: (*Quilon* cum *Kottarakara*) Sir, I wish to make a few observations on the Report of the Public Service Recruitment Rules. It was a result of a long-felt need that the inequalities and the difficulties experienced by certain sections of the people of the State in regard to appointments in Public Service, that the Government, as we all know, instituted a special officer to go into the details of the whole question and report on the matter. Accordingly, G. O. R. Dis. No. 893/Genl, dated 25th June 1935, was issued and thereafter the Public Service Commissioner with a special staff had been brought into existence. Special rules had been promulgated for the working of the new scheme. Now, after some three years of operation of the rules, we are called upon to pronounce on the actual results that have been achieved by the new scheme and as to how far the results have justified themselves in the object for which this institution was inaugurated.

In this connection, I would point out certain facts for the consideration of this House. Government with the best of intentions and the Public Service Commissioner, one of the best available men and with the best of intentions, have not been in a position to bring about the desired effect through the operation of this scheme. Though we have a set of rules and though the Commissioner tried to do his best, the result has been far from satisfactory. In the first place, from the Report itself, we find that several departments have been excluded from the purview of the Public Service Commissioner and the operation of the Public Service Rules. I shall refer to the University, the Police, ...

PRESIDENT: The University has nothing to do with the Government. It is a separate institution.

MR. P. KUNJUKRISHNAN. My submission is that the University is of the Government and.........

PRESIDENT: The Honourable member must be aware, as having participated in the University Legislation, that it is a statutory body created by the labours of this House and the other Honourable House and embodied in a statute.

MR. P. KUNJUKRISHNAN: I bow to the decision of the Chair.

PRESIDENT: It is not a decision; it is the fact.

MR. P. KUNJUKRISHNAN: Still, my point is that I want to draw the attention of the University authorities and the Government to the necessity of giving adequate representation to the unrepresented communities in that institution as well. That is my point. Leaving apart the University, the State Transport Department, the Devaswom Department, the Police Department, the Anchal Department in certain respects, the Medical Department, the Military Department and the Credit Bank.........

PRESIDENT: What has the Credit Bank to do with the Government. Government gives a grant to the S. P. C. A. or any other institution just as it gives a support to the University or to the Credit Bank. Does it mean that Government can look into these matters?

Is the honourable member quite correct in including the Medical Department as having been excluded from the purview of these rules?

DR. G. D. NOKES: It relates to certain minor appointments in the Medical Department which are not within the scope of the Public Service Commissioner. Other major exclusions include the University of Travancore, the Travancore Credit Bank and the Road Transport Department, which institutions have been founded since the rules were passed.

PRESIDENT. The University could not but be excluded from the purview of the Public Service Commissioner since the latter has nothing to do with the University.

MR. P. KUNJUKRISHNAN: But this is put along with the State Transport Department.

PRESIDENT: The State Transport is a Government department run on commercial lines. Certain lines of policy have been adopted with regard to that department. It is open for the honourable member to criticise the Government's decision, as regards the State Transport Department, that it should not be treated as other departments.

MR. C. V. CHANDRASEKHARAN: Even with regard to the University, though the Government have excluded the appointments from the purview of the Public Service Commissioner, Government have ordered that the appointments should be made more or less on the same lines.

PRESIDENT: Is the honourable member prepared to discuss the question on the floor of the House.

MR. C. V. CHANDRASEKHARAN: No, Sir. I wish to point out that the exclusion is not unqualified.

MR. P. KUNJUKRISHNAN: On page 1 of the Report, after dealing with a number of departments excluded from the scope of the Public Service Commissioner, it is stated that "other major exclusions from the operation of the rules have been made in respect of departments or institutions founded since the rules were passed, and include the University of Travancore, the Travancore Credit Bank and the Road Transport Department. There have also been excluded under Rule V, certain appointments in the Medical and Anchal Departments, and in the Police Department during an emergency." The last portion of the last sentence in that paragraph, "On the whole however it may fairly be stated that no department or class of appointments in a department has been excluded from the operation of the Public Service Recruitment Rules except for good reason in the interests of the Public Service itself," is not clear and it requires elucidation and clarification on the part of the Public Service Commissioner. From time to time, as has been admitted by the Public Service Commissioner and especially as found in the Report for 1114, changes and alterations in the rules for recruitment have been made and those changes have to a certain extent, nullified the wholesome object with which the Public Service Commissioner was appointed.

Then, coming to another point, speaking generally, the higher division of the Public Service is left completely out of the control of the Public Service Commissioner, except to the extent that a special

competitive examination is conducted where merit alone is taken into consideration without any emphasis or any special indulgence given in respect of less represented communities. I don't go into the details of that at present.

Then there is the intermediate division.

Mr. C. V. CHANDRASEKHARAN: May I point out to the honourable member that the statement is a travesty of the truth, since one-third of the candidates selected for the higher division is, in fact, on basis of less representation and not on the basis of merit.

PRESIDENT: Not *solely* on the basis of merit you mean?

Mr. C. V. CHANDRASEKHARAN: Yes, Sir.

PRESIDENT: The honourable member may proceed.

Mr. P. KUNJUKRISHNAN: I understand that when the honourable member says that one-third has been left for less represented communities, it only shows......

PRESIDENT: Order, order. I see now what may happen if the debate proceeds on the basis of general observations of this kind. I would, without infringing the liberty of this House, suggest to honourable members to take some time and put forward definite propositions and speak on those propositions. I shall waive any time limit in regard to the giving of notice of resolutions of the kind, but if honourable members proceed on a series of general observations, we shall not be able to crystallise discussion or come to some kind of understanding as to what the opinion of this House is on particular points. For instance, to take one or two outstanding propositions, does this House want a Public Service Commission or Public Service Commissioner? Does this House want an Advisory Body or does it not want? Does it want a Public Service Commissioner who does not belong to what may be called, the contesting communities? Is it the opinion of the House that certain proportions and rotational arrangements should be insisted on in the higher, intermediate and lower divisions? These are some of the points which may be put forward in the form of specific propositions, and discussions may deal with those matters so that we may know where we are. Government are extremely anxious to see that there is not only the fullest possible discussion, but discussion to obtain the points of view of all honourable members so that definite conclusions may be arrived at by this House on the basis of which Government will come to a decision.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanacherry cum Peermade*): Sir,.........

PRESIDENT: I want to finish what I have to say.

Therefore, if honourable members wish to have some time, I am perfectly willing to adjourn and to meet an hour or two later, and by that time honourable members may put down in writing what are the problems and propositions which they want to discuss under (*a*) On the Intermediate division, (*b*) on the Higher division and so on. We shall then know exactly what the needs of the House are. But, at this rate, we shall cover a large ground, but at the end of it we will not be much farther from our starting point.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, one word to the President-

PRESIDENT : I will call you next. The honourable member may proceed,

MR. P. KUNJUKRISHNAN : Sir, the subject is a very tough one.

PRESIDENT : I know ; so tough that it is necessary further to make it more tender.

MR. P. KUNJUKRISHNAN : My submission on this is that this problem specially requires that all heads are put together and that the Government make use of its best abilities in finding out a solution for the same. The memorial referred to in the latter portion of the report gives several suggestions for the consideration of the Public Service Commissioner. These are concrete suggestions and even these, with the advantages that they necessarily have, have not been approved by the Public Service Commissioner not because the Commissioner has any personal unwillingness in accepting the same but probably in his opinion they are not feasible. The suggestions put forward by a single individual or a party would not do to find out a correct solution. Individuals can only bring in their individual opinions and how improvements can be effected.

PRESIDENT : Let it be clearly understood that it is not the object of the Chair to curtail or to strangle discussion, There are two methods of conducting such discussion, one referring to each paragraph of the report and making general observations on what should be done. In essence what the honourable member suggests would be to adopt a course which he himself rather deprecates, because there will be a series of individual suggestions. The point I was making was that if time were given to honourable members, if heads were put together in the manner suggested by the honourable member, then a kind of *modus virendi* may be reached. If on the other hand honourable members prefer to go on discussing like this, I have not the slightest objection. I am only making a suggestion for the approval of the house.

MR. KAINIKKARA M. PADMANABHA PILLAI : I was just thinking........

MR. P. KUNJUKRISHNAN : I have not finished Sir.

PRESIDENT: You can speak after Mr. Padmanabha Pillai has finished.

MR. KAINIKKARA M. PADMANABHA PILLAI : I was just thinking whether I might get the permission of the Chair under the proviso to Rule 58 of the Legislative Rules enabling him to waive the time-limit for resolutions, to move a resolution making recommendations to the Government as to the changes that might be made in the Travancore Public Service Recruitment Rules. If such a resolution is placed before the House, it might enable the honourable members either to throw it out or accept, but it will clarify the issues. Therefore, if the Chair would permit, I would bring forward a resolution for discussion in the House.

PRESIDENT . I was not only willing to permit that but I was willing to permit every honourable member of the House to put forward in the form of a resolution or recommendation to Government such steps

[President.]

as he thinks would be necessary to bring about the desired result and for that purpose, if honourable members are not ready, I said that I shall adjourn the House now so that it might meet again at 2 o'clock. In the interval honourable members might talk to each other, might come to some kind of conclusion, might put forward specific resolutions before the House and speak on those resolutions. It does not mean that those resolutions will be carried. It is a matter entirely for the House to judge. What is the opinion of the House ?

MR. KAINIKKARA M. PADMANABHA PILLAI : We agree to the suggestion from the Chair,

PRESIDENT : The House will now adjourn and meet again at 2 o' clock.

[The Assembly adjourned for lunch at 12.25 P. M. and re-assembled at 2 P. M. with the President in the Chair.]

MR. PADIYARA JOSEPH KUNJU (*Chanyanacherry* cum *Peermade*): സർ, സഭാനടപടികൾ ആരംഭിക്കുന്നതിനുമുമ്പായി അദ്ധ്യക്ഷൻ അവർകളിൽനിന്നും എനിക്കു ഒരു വിവരം അറിയാനുണ്ട്. ഇന്നു ഇവിടെ വന്നപ്പോൾ എന്റെ മേശമേൽ "കൺക്ലൂഷൻ അഫ് ദി നായർ ഈഴവ കാൺഫറൻസ്" എന്ന പേരുള്ള ഒരുപുസ്തകം കിടക്കുന്നതുകണ്ടു. അതിന്റെ പ്രസിദ്ധീകരണകർത്താവിനേയോ അച്ചടിച്ച പ്രസ്സിനേയോ സംബന്ധിച്ച ഒന്നുംതന്നെ അറിയാൻ പാടില്ലെങ്കിലും അതിന്റെ ഒന്നാംവശത്തു "ജി. പി. റ്റി." എന്നു കാണുന്നതുകൊണ്ടു ഗവൺമെന്റ് പ്രസ്സ് അഫ് ട്രാവൻകൂർ എന്നാണ് അതിനെ ഞാൻ മനസ്സിലാക്കുന്നതു. ഗവൺമെന്റിന്റെ അറിവോടും അനുമതിയോടുംകൂടിയാണോ ഈ പുസ്തകം ഇവിടെ ഇട്ടിട്ടുള്ളതെന്നും ഇതിന്റെ ഉദ്ദേശം എന്തെന്നും ഇതിനു എത്രത്തോളം പ്രാധാന്യം ഗവൺമെന്റു കല്പിക്കുന്നു എന്നും ഈ കൺക്ലൂഷനെ ഗവൺമെന്റു എങ്ങിനെ സ്വീകരിക്കാൻ പോകുന്നു എന്നും അറിഞ്ഞാൽ കൊള്ളാം.

PRESIDENT : Order, order. Now that this question has been raised, I think the matters should be clarified. Certain members belonging to the Nair community and certain members belonging to the Ezhava community approached the Head of the Administration and suggested that, as there was a possibility of a satisfactory preliminary talk between the members of those communities as introductory to a talk between them and other communities, it would conduce to the general advantage if they were allowed to meet and discuss. The Government have been very anxious that this vexed question of public services with regard to which interpellations and resolutions come to Government continuously and successively, should, if possible, be adjusted on the basis of a mutual concordat. Inasmuch as the Government felt the

imperative advantage and the need for such a settlement, Government were willing to give all facilities for such discussions. It may be stated at once that Government have, as such, taken no part in those discussions. The Head of the Administration attended one or two of those discussions mainly with a view to express his own personal convictions as to the need for amicable settlement. He did not then, nor do the Government now, propose to pledge themselves to any specific conclusions save in so far as those conclusions derive validity and strength from the concensus of opinion of influential and non-influential communities. The idea was that after these two groups of representatives had discussed the matter amongst themselves, they should meet other communities so that every community in this House and in the country may join in some agreed conclusions. I also made it clear at that time that any further agreements that may be entered into will be welcome and similar facilities will be afforded and that such guidance and assistance as the Head of the Administration and those who are working under his directions may be willing to afford to those communities will be afforded. But it must be clearly understood that there is no partiality towards community A or community B involved in this, nor is it the idea that because this paper has been printed and placed before this House, Government are bound by it. Technically speaking, Government are entitled to ignore these recommendations completely. But it is perfectly true that the Head of the Administration told that conference, and he does not mind telling this House that in a matter of this kind where so easily feelings are roused and such a rankling sense of injustice seems to be present in the minds of members of so many communities, the efforts of the Government and the hopes of the Government would be centered on some agreement to be reached by the various communities by themselves. Government would only be too anxious to act on the basis of that agreement save in so far as they find after careful consideration that they cannot accept any one or more than one of the conclusions, in which case it will be the duty of Government to explain their position on the floor of the House and in public. Therefore, let it be clearly understood that no conclusions ever reached by any conference, formally or informally, whether printed in this press or in that press, are binding as such on Government; but Government would pay at the same time very serious attention to any resolutions put forward with a certain amount of agreement amongst communities big or small. At the same time it may be mentioned that because two communities have joined in this matter it does not mean that other communities are so to say put on one side or ignored. The idea was and will continue to be that this will only be a kind of jumping-off ground from which other efforts will be made for the purpose of seeking further and more comprehensive agreement.

As regards printing by the Government Press, I did not know whether the Government Press could take up private work. I am told that they can take up private printing and therefore the fact that the Government Press printed the proceedings of the conference makes no difference.

RESOLUTIONS ON THE REPORT OF THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES.

PRESIDENT: I have received in response to my rather rash promise a series of resolutions on this matter and all these will have to be discussed. What I propose to do is to get all these typed and circulated to the members of the House so that they may be discussed but in order to give the House an indication of what these resolutions contain, I shall read them.

MR. T. P. VELAYUDHAN PILLAI: This Assembly recommends to Government that steps be taken forthwith to see that all the candidates recruited to the public service under the advice given by the Public Service Commissioner, are absorbed before fresh candidates are advised to be recruited;

MR. C. JERAMONY NADAR: This Assembly recommends to Government that:—

(1) Communal representation be applied to all grades of Public Service.

(2) The advising authority and the appointing authority be one and the same person.

(3) All fresh recruitments from over-represented communities be stopped till the inadequately represented communities get their due share.

(4) If any advisory board is to be appointed minority communities be excluded from the scope of that board or that a board consisting of a majority of members from the backward communities be appointed.

(5) All permanent vacancies be reserved to unrepresented and inadequately represented communities for a definite period and to have a similar provision with regard to promotion also.

(6) The word "qualification" be used instead of "efficiency test."

MR. N. JOHN JOSEPH: This Assembly recommends to Government that in the matter of recruitment to the Public Service the backward Christians belonging to all denominations be considered as a separate community and that they be recruited to the service on the basis of the total population.

MR. KAVIYOOR K. K. KOCHU KUNJU: This Assembly recommends to Government that in the matter of recruitment to the Public Service the Varnava community (Pathian, Vannan, Mannan, Chayakkaran or Pandy Vannan, Ettali, Purathon, Velan, Nerian and Paravan) be considered as a separate community and that they be recruited to the service on the basis of their total population.

MR. K. P. KOCHUKORA THARAKAN: This Assembly recommends to Government:—

(1) That in the recruitment to the Public Service proper and sufficient safeguard be made to ensure the candidates chosen for recruitment state their respective community truly and correctly.

(2) That in recruitment to Public Service candidates from unrepresented or inadequately represented taluks be given preference to those from well represented taluks in the State.

MR. V. KUNJUKRISHNAN: This Assembly recommends to Government that communal rotation in public service may be maintained in the matter of confirmation also.

PRESIDENT: I think that all the honourable members have given their resolutions. I also find that there is a printed resolution to be moved by Mr. Kainikkara Padmanabha Pillai. Has that been circulated?

MR. KAINIKKARA M. PADMANABHA PILLAI: It has been circulated.

PRESIDENT: You may move your resolution, Mr. Padmanabha Pillai.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir,.........

PRESIDENT: I hope that in the course of your observations you will make clear the scope and ambit of the discussion.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg your permission to move the following resolutions:—

"This Assembly recommends to Government that the following changes may be effected in the Travancore Public Service Recruitment Rules:—

1. Public Service may be defined as in the T. S. R. Manual with the following alterations:
   (*a*) The employment as Munsiffs and employment in grant-in-aid Pharmacies and Vaidyasalas should be included in Public Service.
   (*b*) Appointments in the University and the institutions under it should be excluded.
   (*c*) Employment in state aided schools should be excluded from Public Service provided however that in future when sanctioning new schools preference must be given to applications from communities having fewer schools.
2. These rules apply to initial recruitments only and not to promotions.
3. Public Service may be divided into:—
   (*a*) Higher Division.
   (*b*) Lower Division.
      i. Inferior Service as defined in the Travancore Service Regulations.
      ii. Superior Service.
         (1) Ministeral.
         (2) Executive.

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The Higher Division comprises all appointments of which the actual initial salaries, exclusive of all allowance, at the time when any recruitment thereto is made, are Rs. 150 or more per mensem.

The Lower Division comprises all appointments of which the actual initial salaries, exclusive of all allowances, at the time when any recruitment there to is made are less than Rs. 150 per mensem.

4. Efficiency shall be the main consideration in recruitments to the Higher Division of the Public Service. Recruitment to appointments included in the civil service cadre shall be made on the results of T. C. S examinations. For recruitments to other appointments in the said Division the candidate must posses at least the minimum qualifications prescribed in schedule I A Travancore Service Recruitment Manual and when there are more than one candidate with the minimum qualification the best qualified candidate must be chosen.

Provided however that in the case of direct recruitment in the Munsiff's grade the communal rotation prescribed in respect of the Lower Division shall be applicable.

5. Recruitment to inferior service and to the ministerial and executive branches of the superior service respectively in the Lower Division of Public Service shall be made by rotation on the basis of the population of communities; provided that the candidates selected possess the minimum qualification prescribed.

When there are more than the required number of candidates from any particular community the best qualified among them may be chosen.

If there is no suitable candidate available from any community which should be selected in compliance with the rules the said community shall be ignored in making the said selection.

6. The minimum qualifications prescribed in schedules I B and C of the T. S. R. Manual may be accepted with the following changes :—

(a) *Education.*

1.	Do. No. 117	Foot note Substitute "English Middle School Classes" for "English High School" and delete "High and."
2.	Do. No. 118	Foot note Delete "High and" Add Training.
3.	Page 78 No. 354	Delete "V. S. L. C." in the Foot-note delete "High and."
4.	Page 79 No. 355.	Do.

5. No untrained hand shall be appointed as teacher.

6. An E. S. L. C. holder, to be appointed as teacher, should have obtained a minimum of 45 per cent. marks in English Malayalam and Arithmetic having a grand total of 150 marks.

(b) *Excise* :—

Page 62 No. 170. Add "Physical fitness." Height 5' 5" chest 32"

7. Communities, for the purposes of the above rules shall be divided into three main religious groups *viz.*, Hindus, Christians and Muslims. Out of every 51 appointments 31 appointments shall be given to Hindus, 16 to Christians and 4 to Muslims.

8. The recruitments from these three religious groups may be made according to the following rotation :—

1.	Hindu	27.	Hindu
2.	Hindu	28.	Hindu
3.	Christian	29.	Christian
4.	Hindu	30.	Hindu
5.	Hindu	31.	Hindu
6.	Christian	32.	Christian
7.	Hindu	33.	Hindu
8.	Hindu	34.	Hindu
9.	Christian	35.	Christian
10.	Hindu	36.	Hindu
11.	Hindu	37.	Hindu
12.	Christian	38.	Christian
13.	Muslim	39.	Muslim
14.	Hindu	40.	Hindu
15.	Hindu	41.	Hindu
16.	Christian	42.	Christian
17.	Hindu	43.	Hindu
18.	Hindu	44.	Hindu
19.	Christian	45.	Christian
20.	Hindu	46.	Hindu
21.	Hindu	47.	Hindu
22.	Christian	48.	Christian
23.	Hindu	49.	Hindu
24	Hindu	50.	Christian
25.	Christian	51.	Muslim
26.	Muslim		

9. Hindus may be sub-divided into the following communities and each sub-section given the number of appointment noted against it :—

1.	Brahmin	1
2.	Nair	9
3.	Ezhava	9
4.	Kammala	2
5.	Nadar	2
6.	Vellala	1
7.	Other caste Hindus	2
8.	Cheramar	2
9.	Kurava	1
10.	Paraya	1
11.	Other Hindu	1
		31

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10. The Hindu vacancies in the rotation shown in clause 8 may be filled up in the order shown below: —

1.	Cheramar	17.	Paraya
2	Ezhava	18.	Ezhava
3.	Nair	19.	Nair
4.	Kurava	20.	Kammala
5.	Brahmin	21.	Ezhava
6.	Kammala	22.	Nair
7.	Ezhava	23.	Other caste Hindu
8.	Nair	24.	Ezhava
9.	Cheramar	25.	Nair
10.	Ezhava	26.	Other Hindu
11.	Nair	27.	Ezhava
12.	Vellala	28.	Nair
13.	Other Caste Hindu	29.	Nadar
14.	Ezhava	30.	Ezhava
15.	Nair	31.	Nair
16	Nadar		

N. B.—After every two non-Malayala Brahmin one Malayala Brahmin must be appointed.

11. Christians may be sub-divided into the following communities and each sub-section given the number of appointments noted against it.

1.	Syrian Catholics	5
2.	Latin Catholics	4
3	Jacobites	3
4.	Marthomites	1
5.	S. I. U. Church	1
6.	Anglicans	1
7.	Other Christians	1
		16

12. The christian vacancies in the rotation shown in clause 8 may be filled up in the order shown below :—

1.	Anglican	9.	Syrian Catholic
2.	Jacobite	10.	Jacobite
3.	Latin Catholic	11.	Latin Catholic
4.	Syrian Catholic	12.	Syrian Catholic
5.	Jacobite	13.	S. I. U. Church
6.	Latin Catholic	14.	Marthomite
7.	Syrian Catholic	15.	Latin Catholic
8.	Other Christians	16.	Syrian Catholic

13. There shall be a Public Service Commissioner who will be an officer of high status.

14. There shall also be an advisory committee consisting of not more than six non-official members, consisting of a Nair, an Ezhava, a Backward class Hindu, a Catholic, a non-Catholic and a Muslim to advise the Comissioner."

Sir, this resolution has been, though not exactly in this form, circulated among the members. The contents of this resolution are contained in a memorandum submitted by the National Congress Party this morning to the Government. It has been circulated among the members of this House. Therefore, I believe that the honourable members of this House are acquainted with the reasons and the principles underlying the changes suggested by this resolution.

Just before this House took up this question, my friend Mr. Padiyara Joseph Kunju raised a point for the consideration of the chair, *viz.*, a report placed on the table, a report embodying the agreement reached between the Ezhavas and the Nayars at a Conference between some members of the Ezhava and Nayar communities. I believe it is my duty to put in a word at this juncture so that certain doubts may be cleared.

The resolution which I have read just now and placed before this House is based on the conclusions arrived at a Conference of the National Congress working committee and the members of that Party in both the Houses of the Legislature. It is contained in the Memorandum submitted to Government. There are some slight differences in certain details between the conclusions arrived at, at the Conference between the Nayars and the Ezhavas, and the decisions of the National Congress Party. Therefore, as I happen to be a member of the National Congress Party, and now the member in charge of the resolution, as well as a member of the Nair-Ezhava Conference, I think I owe myself a duty to explain to such of the members of my own party as are not Nayars or Ezhavas, how these changes have crept in. I submit, there is absolutely no inconsistency on my part. At first sight it might appear that I have been inconsistent in agreeing to the two sets of conclusions which are not entirely the same, but vary in some respects.

The National Congress Party's Memorandum is a memorandum prepared by a political party which has as its members not only the different sub-sections of the Hindu community but also Christians and Muslims; and the resolution I have just now placed before this House embodies the maximum agreement that could possibly be reached at present between the different communities and their subsections which go to form the National Congress Party. The conference between the Nayars and the Ezhavas was entirely different in nature from the National Congress Party. The attitude and the outlook with which the Ezhavas and the Nayars met at the conference was entirely different from the attitude and the outlook of the communities that form a political party like the National Congress. The Nayars might be prepared to go very far indeed in order to satisfy the legitimate aspirations of the Ezhavas for meeting them on a common platform of mutual friendship and goodwill, certainly, there is not the same considerateness in the discussion of the National Congress Party. Therefore, the fact that some individuals might have been members of the National Congress Party and might also have taken part in the conference between the Nayars and the Ezhavas does not place the

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Conference and the National Congress on the same footing. I hope it will now be clear to my honourable friends that there is no inconsistency in my being party to two reports or documents relating to the same subject. My view-point as a Nayar in relation to the Ezhava community need not be exactly identical with my views or actions as a member of the National Congress. The latter is guided solely by the purely political consideration and policy of the Party. As members of the National Congress Party, we took stock of the different shades of opinion and struck an H. C. F. as it were and submitted it to Government in the form of a Memorandum. But when the Ezhavas and the Nayars met at the conference there was the meeting of friends or relations. I therefore submit, that there has been no inconsistency or faithlessness.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavancode*): Are there not two sets of resolutions, one by the National Congress party and the other by Nairs and Ezhavas ?

MR. KAINIKKARA M. PADMANABHA PILLAI: Now, there is only one set of resolutions before the House; I was only explaining away certain misunderstandings about the apparent inconsistency in my position

PRESIDENT: In any case, you have now moved only one set of resolutions ?

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes, Sir, and I am sticking to them.

MR. C. JEBAMONY NADAR: Any way, the honourable member has been a party to two sets of resolutions not entirely alike.

MR. KAINIKKARA M. PADMANABHA PILLAI: Why not, I may be a party to a hundred sets; that does not concern this House.

PRESIDENT: So far as the Chair is concerned, there is only one set of resolutions What led to these resolutions, is for the honourable members to decide for themselves.

MR. KAINIKKARA M. PADMANABHA PILLAI: Coming to the resolution proper, the Public Service Recruitment Rules have been in force for 3 years now. We all know that there have been numberless interpellations and cut motions to show that either the Rules or their working was not to the entire satisfaction of the people. Government themselves anticipated this possibility since, even while promulgating the Rules, and they said that the Rules might work for three years and then the whole position would be reviewed. And, we have that opportunity now.

From experience gained so far, from what I have learnt of public opinion in the country, I believe the Rules require changes in certain respects. The Public Service Commissioner has wound up his Report, by the remark that the machinery is sound and can be worked with satisfaction. I may point out that my resolution does not ask for an overhaul of the machinery; some modifications alone are necessary.

Sir I believe the bulk of the criticisms has been due not to any intrinsic defect in the Rules, not even because of any defect in their working but, for one reason namely, we, the non-officials, have not been in a position to know clearly, to see clearly, how the Rules were being worked. That has been the serious handicap. When questions were put, when cut motions were moved, the Public Service Commissioner gave us answers apparently very satisfactory. The non-officials had nothing to tell him : but, although they remained silent here, they were still having doubts as to the correctness of the working of the Rules. They have no right to look into the working of the Rules, to satisfy themselves that the Rules are being worked correctly. That is the reason why I have suggested a committee of non-officials to advise the Public Service Commissioner. If that is done, much of the misgivings could be avoided.

With these words, I place the resolution for the acceptance of the House.

MR. N. RAMAKRISHNA PILALI (*Vaikom cum Kottayam*) : I second the motion. I had a discussion with the learned mover of this motion and also with some other gentlemen who had taken a deep interest in this subject of communal representation in service. They had already spent a good deal of time in studying and discussing the subject before I was able to join them. From my own discussions with them it appeared to me that the conclusions arrived at by them were fair and reasonable. I have also another reason to second the motion. The proposals now put forward seem to me to afford a sound basis for further discussions to be carried on in this House. I trust we shall arrive at a satisfactory solution of the whole question of representation in service on a fuller discussion of the subject now before the House, I therefore second this motion.

MR. P. KUNJUKRISHNAN : In view of the importance of the resolution and in view of the fact that the hon'ble members of the House had not sufficient time to go into the details of it, I move that the discussion on the subject may stand adjourned to to-morrow.

PRESIDENT : I am entirely in the hands of this House as regards this matter. But there are two ways of disposing of the matter. Some hon'ble members may desire to have some more time to study the subject and get a conspectus, while others may desire to offer their views now. At the same time I do not foresee that the discussion on the subject would terminate today itself. After all, there is only one hour for the adjournment motion to start discussion. I cannot say how long it will take up the time of the House. Even assuming that the discussion on the adjournment motion terminates, discussion on the resolution might as well go on throughout the whole day and there may be other hon'ble members who might desire to participate in the discussion. If I find nobody to speak due to want of time for preparation, and the discussion comes to a termination, I shall myself exercise the right to adjourn the discussion of the motion. That being so, I do not see any point in adjourning the discussion of this resolution at this juncture.

(After ascertaining the attitude of the House, further discussion was continued.)

MR. P. KUNJUKRISHNAN: Sir, ...

PRESIDENT: Then I would suggest the hon'ble members who want more time for preparing the speeches to keep back until to-morrow. In the meantime they may have their own preliminary talks on the subject. I shall now call upon other hon'ble members who are willing to speak to continue the discussion so that the spade work might go on.

MR. VARKALA K. MADHAVAN (*Chirayinkil cum Nedumangad*): Sir I have certain suggestions to offer. The Public Service Commissioner has been rendering very useful service to the State for the last 2½ years. Let me say in the first place that the present Public Service Commissioner may continue to function as the Head of that Department for another period of 3 years. By his honesty, ability and impartiality he has earned in abundance the affection, confidence, respect and admiration of the public of Travancore and it is our sincere belief that the several minor defects noticeable in the working of the Recruitment Rules would be rectified by him in a short time. Therefore in seconding the resolution before the House I may offer a few suggestions which I consider to be important.

In the pamphlet before me I find there are certain suggestions for incorporation in the Travancore Public Service Recruitment Rules. The Leader of the National Congress Party has suggested an advisory committee to advise the Commissioner.

PRESIDENT: Nobody has made this pamphlet the basis or ground work of discussion. It has been circulated as papers are being done for the information of the hon'ble members. For instance a number of newspaper cuttings are being relied on by the members in order to help them in a particular discussion. That does not mean that it is to be made the basis of discussion. If the hon'ble members want that the document should be placed on the table of the House—it is rather an anonymous publication—it is open to them to say so. Then it will be put on the responsibility of the gentlemen who want to have it placed on the table of the House. That is the position and I would like the hon'ble members to bear it in mind.

MR. VARKALA K. MADHAVAN: It is suggested that an advisory committee consisting of not more than six non-official members from the various communities be nominated to advise the Commissioner. That means the Commissioner should be retained. The Committee will make the Commissioner the mere puppet of it and that position is not conducive to the welfare and interests of the backward communities. After all what is the present position of the Public Service Commissioner. He is only a puppet of rigid rules, the rules as embodied in the Public Service Recruitment Manual. His position is that of a judge and he is to administer the law as laid down in the Public Service Recruitment Manual as between one candidate and another and as between one community and another and that position should not be interfered with.

Regarding the suggestion to have a Public Service Commission instead of a Commissioner I have to state that it is not acceptable Firstly, it may not be possible to give adequate representation to all important communities in the Public Service Commission. Secondly, the impartiality of the Commission will be questioned often and often, however honest it might be.

Next I have to offer certain alterations to the existing rules in the Manual.

The position of Pakuthi Accountants and Proverthicars should be placed in the Lower Division and I do not find any special reason for including them in the Intermediate Division. The Commissioner himself, in para 23 of his report, says that this will produce greater communal equality among recruits to this branch of the service.

As regards the appointments to short vacancies we feel that it is high time for Government to repeal the G. O. numbers ROC. 5322 dated 31" December 1936 and 3487 dated 27th August 1937. The appointments made under them do not appear to be in accordance with the principle of communal rotation as laid down in schedule 3 of the T. S. R.

Again, 40 percent reservation made in the Intermediate Division for backward communities must be raised to 50 percent as those communities form more than half of the total population in the State.

Then the Public Service Commissioner should be given a voice in confirming the selected candidates. Otherwise there might be difficulties in confirming candidates consistent with seniority. I am of opinion that the department of Public Service should be made permanent as in these days an agency to recruit candidates to public Service has become indispensable in every civilised state and the defects in the working of such a system could be gradually remedied.

MR. P. KUNJUKRISHNAN: Are these suggestions going to be put to the vote of the Assembly?

PRESIDENT: Some time or other it will tend to convenience if they are put to vote. But it is not the intention now to take these different suggestions and vote them part after part. First I would like to have the opinion of the honourable members on the general scheme now placed for discussion here. It is possible that alternative proposals might be put forward by others. All that will have to be discussed and something like a bird's eye view has to be obtained. When the voting comes, a number of resolutions will be tabulated and they will be put to vote one by one. What is the member's apprehension?

MR. P. KUNJUKRISHNAN: My question is, whether clause by clause is to be put to vote?

PRESIDENT: After all the so-called pamphlet before the House contains 14 resolutions. I do not think anybody would desire either to accept it or reject it altogether. It is open to any honourable member to comment upon the ideas contained therein.

MR. P. KUNJUKRISHNAN: I may submit that it is not at all our idea to reject the resolutions entirely.

PRESIDENT: Each of the suggestions represent certain ideas. The question is whether this House approves of it. After all, we are not concerned for getting one resolution passed and another one rejected. The main point is, how is the question of recruitment to Public Services to be dealt with. I am most anxious, if possible, there should be no voting at all on that matter, but some kind of agreement arrived at in this House and for that purpose, I would give the fullest freedom of discussion and the possibility of friends meeting each other and talking about it. I should, for one, prefer that that should be in as free and easy and unconventional way as possible. If necessary, small committees could as well be formed so that there may be a fuller discussion and freer scope for the exchange of individual points of view. It is not the idea to take up these suggestions alone for voting or even to reject them entirely. The idea is to get at the maximum of agreement in this House itself before the Government takes upon themselves the ultimate responsibility of coming to conclusions with regard to the future recruitment to the public services. Because the topic is all important to many members I have chosen this method and it is not my intention to deal with it in any technical way. For instance, the different points are put to vote one by one. If the resolution say the institution of the Public Service Department being made permanent is not carried, then there will be no Publice Service Department. Again say, if the House negatives the constitution of the Advisory Committee, then no such body could be formed. Such instances can be added on. Some might want new principles to be introduced in the intermediate division. If such changes take place, the whole scope of the subject might vary. Therefore, it is not the idea to put these resolutions to vote at this stage.

MR. P. KUNJUKRISHNAN: May I know whether it is still open to send up some more set of resolutions like the one now placed before us by the members of the National Congress party?

PRESIDENT: While arguing for or against the resolutions, it is open to the member to put forward his point of view. Ultimately the Honourable member's resolution also will come up. For the purpose of debating convenience, it is better to go on with one resolution, get rid of it, and then deal with the other resolution.

MR. M. SIVATHANU PILLAI: May I know, Sir, whether one member will have chance to speak more than once?

PRESIDENT: That is why I said that this House, if necessary, may go into a Committee in which case there will not be the difficulty such as a member speaking only once, moving an amendment, seconding it, deleting a word or adding some other words. But, that is for the House to decide.

MR. M. SIVATHANU PILLAI: Sir, I would suggest that all the resolutions may be permitted to be moved, so that the members may be in a position to understand the whole situation.

PRESIDENT: That is a good counsel. But the difficulty is that those resolutions are not all typed and copies got ready.

MR. K. KUNJU PANICKAR (*Mavelikara cum Kunnatur*): I beg to support the motion of Mr. M. Padmanabha Pillai with the following amendments:—

In Section I (a) after the words 'and Vaidyasalas' insert the words "colleges and schools."

In I (b) insert after the words 'institutions under it, the words "and the Transport Department"

In the same sentence, insert after the words "should be" the word "included" and delete the word "excluded."

Delete Sec. I (c) para entirely.

In Section 2 delete "not to promotions" and substitute "and confirmation here after without retrospective effect."

In Section 3 after the last proviso add the following proviso:—

"Appointments to the Higher Division shall be by fresh recruitments and promotions in the proportion of 1:2."

In Section 4 delete the first sentence and substitute the following provision:—

"No change need be made in the rules regarding the T. C. S. Examination. But the preferential claims of those unrepresented communities that fail to get representation through competitive examination may be considered when making nominations."

In Section 4 in the proviso, insert after the words 'shall be applicable" the words "recruitment to the cadre of Munsiffs from the service and the Bar, being in the ratio of 1:3."

In Section 6 delete the section from the words "with the following changes" up to "Chest 32."

PRESIDENT: Amendments to a resolution of this kind require certain consideration by other Honourable members. So the Honourable Member may hand over those amendments to the Secretary.

MR. K. KUNJU PANICKAR: Yes, Sir.

DR. G. D. NOKES: Sir, may I make a suggestion to deal with this matter more expeditiously. The resolution which has been moved contains a number of matters. Some of them are of an administrative character which can be more conveniently dealt with in Committee or outside the House. Some of them are matters of principle. I would suggest that it might help us in coming to definite conclusions if we could take up the parts of the resolution which deal with principle and not with details. For example, I may suggest for the consideration, paragraph 3 (Division of the Public Service into new divisions) and paragraph 5, (which proposes to apply the rotation in a new way.) Paragraphs 6 and 8 raise questions of detail which cannot conveniently

be discussed on the floor of the House. Paragraphs 13 and 14 raise definite questions of principle, whereas most of the others are questions of detail. If the mover will agree to follow this procedure, I think it will be easier to deal with the question.

PRESIDENT: What is your opinion, Mr. Padmanabha Pillai?

MR. KAINIKARA M. PADMANABHA PILLAI: I think the division suggested by Dr. Nokes cannot be fully accepted.

MR. K. KUNJU PANICKAR: I shall submit my amendments to-morrow. Now I shall continue my comments. In the matter of recruitment to the public service, the most important grievance of the inadequately represented communities is the thing prominent in the mind of every body who is considering the question.

MR. KOTTALIL P. ABRAHAM (*Muvattupuzha* cum *Devicolam*): May I know from the member whether he is willing to reduce the original proposition to the resolution contained in the printed pamphlet?

MR. K. KUNJU PANICKAR: That pamphlet has nothing to do with my opinion.

The present Public Service Recruitment Rules were framed with an idea of giving adequate representation to the members of the Backward communities. Some how or other we find that that object is defeated in its operation. Not only that the inadequately represented communities were not in a position to get sufficient representation, but that the very vital changes introduced by the Government, most probably, have thwarted the intention of the recruitment rules. Though the arrangement as it was contemplated at the outset by the service regulation was quite different, by a Government order, some of the important departments in which so many hands had to be entertained and which were to be under the guidance and direction of the Public Service Commissioner, were excluded from the purview of the Public Service Commissioner. For example, it is said in the Administration Report of the Public Service Department, for the year 1114, as follows:

> "All appointments in the University .... The recruitment of Police Constables and of Anchal Masters or Clerks, Anchal men and runners to permanent vaccancies.................excluded."

That shows that some of the most important departments, which required numerous hands to be entertained for their running, were excluded from the purview of the Public Service Recruitment Rules. Though we are not in a position now to judge the advisability of such exclusion, I beg to submit that the Government recruitment to such important departments should have been for the advantage of inadequately represented communities. I do not know whether the deviation was for the benefit of the unrepresented communities. At any rate as we find from the list that is published by the Public Service

Department, the representation of the inadequately represented communities is not what we desired for. Much has to be done to rectify the defect. To achieve that object, I beg to submit that some definite rules should be formulated and those rules should be strictly adhered to in their operation. It is with that idea that the party to which I am a member has put forward such a resolution. Though there are some alterations proposed with reference to some details, we are unanimous with regard to the fundamental principle involved in the resolution placed before the House. That resolution is intended mainly to remove the disability of the important sections of the various communities in the State. If all the parties concerned including the Government are anxious to see that the defects in this matter are removed, I think, without much ado we can get the thing rectified. I am of opinion that much of the turmoil and trouble in the country is mainly due to the disappointment of getting sufficient appointments in the public service. Even the communal troubles that exist in the State are solely for the purpose of getting adequate number of places in Government service. If that defect is rectified and cured, then all the communities in the State will work only for the common good of the land. So, I beg to submit that in the public service, sufficient representation should be given to the inadequately represented communities who had no chance of shouldering the responsibility of the administration of the State hitherto. With these words I support the resolution with the amendments that I have put forward.

MR. P. KUNJUKRISHNAN: Sir, may I know whether the honourable mover of the resolution will agree to have the conclusions reached by the Nayar—Ezhava Conference as an amendment?

PRESIDENT: I have told the Honourable House very often that that document is not before the House now. Does the honourable member put a question to Mr. Kainikara Padmanabha Pillai?

MR. KAINIKARA M. PADMANABHA PILLAI: Sir, I am not in possession of the House. The honourable member asked me if he can move an amendment to my resolution.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, the member was asking the mover of the resolution whether he was prepared to accept as an amendment the conclusion contained in the pamphlet.

MR. P. KUNJUKRISHNAN: Sir, I move this as an amendment.

PRESIDENT: You move this phamplet as an amendment? (*Laughter*). Perhaps you move the conclusions of this phamplet as an amendment.

MR. P. KUNJUKRISHNAN: Sir, I move the conclusions reached by the Nayar—Ezhava Conference contained in the phamplet as an amendment to this motion.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Does anybody accept the responsiblity for the accuracy of the conclusions?

MR. K. G. GOVINDAN (*Pattanamtitta*) : Sir, I support the motion. In supporting the motion I also support the amendment proposed. In doing so I wish to make another amendment regarding this motion.

PRESIDENT : Have you got a copy of the amendment ? Amendments to amendment have been moved. How can this House consider unknown amendments ?

MR. K. G. GOVINDAN : Sir, I had no time to prepare a copy of the amendment. According to this amendment the mover suggested that there need not be any change with regard to the existing rules of the T. C. S. Examination. Along with that he added that the claims of those communities, members of which did not get selection in the T. C. S. Examination, may be considered in making nominations. My amendment is that the claims of the inadequately represented communities alone may be considered in making nominations. My submission is that the proportion of one-third reserved for making nominations should be utilised only for the advantage of the inadequately represented communities. That should not go to those communities that are adequately represented in the public service.

Sir, I have to make a few observations also regarding the report submitted by the Public Service Commissioner. The Public Service Commissioner has said that in a few cases he was not able to put the 40 per cent. reservation provision into operation in the Intermediate Division. And by a series of calculations he has come to the conclusion that though that provision is not put into operation it has not prejudicially affected the communities less represented in public service. He has put the figure as 49 per cent. One of the reasons given by the Public Service Commissioner in not having put 40 per cent. reservation provision into operation is that there have been an over estimation of probable vacancies in the Intermediate Division. He has given a specific illustration on this point. In the estimation of probable vacancies of pakuthi Accountants during the first half of 1112 it was stated that there were 266 of such vacancies, whereas actually, up-to-date the vacancy that has arisen was only 80 and so he was not able to put into operation the 40 per cent. provision. The Commissioner seems to be under the impression that 40 per cent. provision should be put into operation only after the list as per 60 per cent. provision is exhausted. If that is the impression of the Commissioner, I submit that that view is subject to correction. The provision containing 40 per cent. reservation contained in rule 32 of the Public Service Recruitment Rules and I believe that rule 32 is based upon a specific provision in the G. O. of 1935 which reads thus : "Government therefore consider that appointments in this division will be based according to the order of merit of the candidate to be determined by a selective test provided 40 per cent. of the appointment in any event should go to the members of the inadequately represented communities."

DR. G. D. NOKES : May I know whether the member had read 32 (1) sub-sections (*e*) and (*f*)

MR. K. G. GOVINDAN : I have read, Sir.

DR. G. D. NOKES : Has the honourable member understood it ?

MR. K. G GOVINDAN: Yes, Sir, I have understood those provisions. I may ask the learned Commissioner with reference to page 5 of the recruitment rules regarding Pakuthi Accountants whether he will be pleased to say if the inadequately represented communities in the public service are not still inadequately represented in that type of service?

DR. G. D. NOKES: I am not in a position to give just now the information required.

PRESIDENT: All the academic questions which the honourable member wishes to put to Dr. Nokes the honourable member can put them now and he can expect the answers to such questions only afterwards. Dr. Nokes cannot answer such questions straightaway.

MR. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*): ഈ പാംഫ്ലററിൽ ഉള്ളകഥ മുഴുവനും റസല്യൂഷൻ അവതരിപ്പിച്ച മെമ്പർ അംഗീകരിച്ചോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

PRESIDENT: As a matter of fact, a question was put to the mover of the resolution whether he was going to accept the amendment which was moved by the honourable member Mr. P. Kunjukrishnan who said that he has moved as an amendment the substance of the conclusions in the pamphlet. That amendment has not been accepted by the mover, so far as I can see.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, nobody has seconded that amendment either.

MR. K. G. GOVINDAN: Sir, I submit that rule 32 was based upon a specific provision of the Government order and this provision does not definitely say that 40 per cent reservation principle can be put into operation only after exhausting the list as per 60 per cent. provision. According to me Sir, there was nothing in the G. O. to prevent the Commissioner to select candidates from the two lists alternatively. The public Service Commissioner could have, quite in conformity with the intentions contained in the G. O. selected the first three candidates from the first list and then the succeeding two candidates from part (2) of the list. That order could have been continued. Government ordered that 40 per cent. of the appointments, in any event, should be reserved to the members of the inadequately represented communities. That shows that the intention of Government was to protect the interest of the inadequately represented communities. That intention has not been carried out by the Public Service Commissioner especially with regard to the appointments to the Pakuthi Accountants to which special reference has been made by the Commissioner.

Sir, I would like to make a few suggestions also regarding the examinations. Certain examinations have been held *viz.*, T. C. S. examination and selection tests. I suggest that the report of those examiners be added to the Administration Report of the department as an appendix so that that may serve as a guidance to the future candidates to those examinations.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilivankod*) : സർ, പബ്ളിക്ക സർവീസ് വളരെ വിഷമിപ്പിക്കുന്ന ഒരു പ്രശ്നമാണ്. ഈ സഭയിൽത്തന്നെ വർഗ്ഗീയമായും മററും പല വാദപ്രതിവാദങ്ങളും ഉണ്ടായിട്ടുണ്ട്. അതിന്റെ ഫലമായി ഒരു പബ്ളിക്ക് സർവീസ് കമ്മീഷണരെ നിയമിക്കുകയും അദ്ദേഹം അശ്രാന്തം പ്രവർത്തിച്ചുവരികയും ചെയ്യുന്നു. അദ്ദേഹത്തിന്റെ പ്രവൃത്തിയെ എന്റെ ചില മുൻഗാമികൾ അഭിനന്ദിക്കയും ഇനിയും കുറേക്കാലത്തേക്കുകൂടി അദ്ദേഹത്തെത്തന്നെ വച്ചുകൊണ്ടിരിക്കണമെന്നു നിർദ്ദേശിക്കയും ചെയ്തു. ഓന്തു നിറം മാറുന്നതുപോലെ ഇവിടെ ഉദ്യോഗത്തിനായി ചിലർ വർഗ്ഗവും മതവും മാറുന്നുണ്ട്. ഈ സംഗതിയിൽ വേണ്ടപോലെ ശ്രദ്ധിക്കാത്ത മി. നോക്സിനെപ്പററിയുള്ള സ്തുതി വെറും മുഖസ്തുതിമാത്രമാണ്. അദ്ദേഹം യഥാർത്ഥത്തിൽ സമർത്ഥനായിരുന്നാൽ ഇതുമാതിരിയുള്ള പ്രമേയങ്ങളൊന്നും ഇവിടെ വരേണ്ട ആവശ്യം ഉണ്ടാവുകയില്ലായിരുന്നു. അച്ചിലിട്ടു വാർത്തുകൊടുക്കുന്ന ഒരു സംഗതിയല്ല ഇവിടത്തെ ഉദ്യോഗവിതരണം. അഞ്ചടി ഉയരമില്ലാത്ത ആളിനെ പട്ടാളത്തിൽ എടുക്കുകയില്ല. അതുപോലെതന്നെ കണക്കെഴുതാൻ വശമില്ലാത്ത ഒരാളിനെ അക്കൌണ്ടാഫീസിലെ ഉദ്യോഗസ്ഥനായി നിയമിക്കാൻ നിവൃത്തിയില്ല. അതാതു ജോലിക്കു യോഗ്യതയുള്ളവരെത്തന്നെ തിരഞ്ഞെടുക്കണം. ലോവർ ഡിവിഷനിൽ പ്രാതിനിധ്യം കുറഞ്ഞ സമുദായക്കാർക്കു തക്കതായ പ്രാതിനിധ്യം കൊടുക്കണം, എന്നു ഇവിടെ ഒരു വാദമുണ്ട്. മുന്നില, പ്രവൃത്തികാർ ഇതൊക്കെ കുടുംബപാരമ്പര്യമായിട്ടു ചിലർക്കു ലഭിച്ചുവന്നിരുന്നതാണു. ഇതൊക്കെ പെട്ടെന്നു മാററാൻ സാധിക്കയില്ല. ഇന്നു പ്രാതിനിധ്യം കുറവുള്ളവരുടെ പരാതിക്കു ഉടനടി പരിഹാരമുണ്ടാകണമെന്നു പബ്ളിക്ക് സർവീസ് കമ്മീഷണരോടു നിർദേശിക്കുന്നതു ശരിയായ ഒരു നയമല്ല. ഡിപ്പാർട്ടുമെന്റു മേധാവികളുമായി ആലോചിച്ച് ഈ വക സംഗതികൾ പ്രവർത്തിക്കേണ്ടതാണ്. അതുപോലെതന്നെ ഏതു ജി. ഒ. അനുസരിച്ചായാലും റിട്രോസ്പെക്ററിവ് ഇഫെക്ററ് വച്ച് ഈ സംഗതിയിൽ പ്രവർത്തിക്കരുതു്. ഒരു ഉദ്യോഗം ഒരു പ്രത്യേകജാതിക്കു കൊടുക്കണം എന്നു പറയാം. ഈ പ്രമേയങ്ങളെല്ലാം പബ്ളിക്ക സർവീസ് കമ്മീഷണർക്ക് അയച്ച് അദ്ദേഹത്തിന്റെ അഭിപ്രായം അറിഞ്ഞു തീരുമാനിക്കയാണു വേണ്ടതു്. നായരീഴവകാൺഫറൻസിൽ വരുത്തിട്ടുള്ള തീരുമാനങ്ങളനുസരിച്ച് ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ള ഈ പ്രമേയം സ്വീകരിക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. T. T. KESAVAN SASTRI (*Nominated*): സർ, പബ്ലിക്കസർവീസ്പ്രാതിനിധ്യവാദം വളരെ പ്രധാനപ്പെട്ട ഒരു പ്രശ്നമാകയാൽ ഈ ഉപക്ഷേപങ്ങളെ പരാമർശിച്ചുകൂടി എനിക്കു പറയുവാനുള്ളതു് പറയാൻ ഞാൻ ആഗ്രഹിക്കുന്നു. പബ്ളിക്ക സർവ്വീസിൽ ഓരോ സമുദായക്കാൎക്കും ലഭിക്കേണ്ട ന്യായമായ അവകാശങ്ങൾ മുറയ്ക്കു് ലഭിക്കാതിരുന്നതുകൊണ്ടുതന്നെയാണ് ബഹുമാനപ്പെട്ട ഗവൺമെൻറിൽനിന്നും ന്യായസ്ഥനും യോഗ്യനുമായ ഒരു പ്രധാന ഉദ്യോഗസ്ഥൻെറ നേതൃത്വത്തിൽ ഈ വകുപ്പു് ആരംഭിച്ചതു്. സർവ്വീസു് കമ്മീഷണൎക്കു് സഹായമായി ഗവൺമെൻറു് ചെയ്തിട്ടുള്ള സമുദായവിഭജനത്തേയും മററു് അംഗീകൃതനിർദ്ദേശങ്ങളേയും പിൻതുടൎന്നുകൊണ്ടു കമ്മിഷണർ ഇതേവരെ ചെയ്തിട്ടുള്ള നിയമനങ്ങളുടെ പട്ടിക പ്രസിദ്ധപ്പെടുത്തി കാണുന്നു. പ്രാതിനിധ്യം കുറഞ്ഞും വിദ്യാഭ്യാസത്തിലും ധനസ്ഥിതിയിലും മററും പിന്നോക്കംനിന്നു അവശതയനുഭവിക്കുന്ന പുലയർ, പറയർ മുതലായസമുദായക്കാരുടെ ഉദ്ധാരണത്തേയും പ്രോത്സാഹനത്തെയും മുൻനിറുത്തി ചില പ്രത്യേക സൗജന്യങ്ങൾ സർവീസു നിയമത്തിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ളതു സ്മരണീയമാണ്. ലോവർ ഡിവിഷനിൽ നാല്പതു ശതമാനം സൗജന്യവും ഇൻറർമീഡിയററ്ഡിവിഷനിൽ ൨ വൃവയസ്സുവരെയെന്ന ദാക്ഷിണ്യവും മത്സരപ്പരീക്ഷാ സൗജന്യവും സഹായമായിട്ടുണ്ടു്. ഈ സൗജന്യങ്ങളും മററും പരിഗണിച്ചു നടത്തിയിട്ടുള്ളനിയമനങ്ങളാണോ ഇതെന്നു സംശയിക്കുന്നു. ലോവർ ഡിവിഷനിൽ നാല്പതും ഇൻറർമീഡിയററ്ഡിവിഷനിൽ ൫-ം നിയമനമാണ് പുലയസമുദായത്തിനു ഇതേവരെ സിദ്ധിച്ചിട്ടുള്ളതു്. മററു സമുദായങ്ങൾക്കു ലഭിച്ചിട്ടുള്ള നിയമനങ്ങളെ പരിഗണിച്ചാൽ പുലയസമുദായത്തിൻെറ പങ്കു് തൃപ്തികരമാണെന്നു വിചാരിക്കാൻ നിവൃത്തിയില്ല. സൎക്കാർ സർവ്വീസ്സിൽ പുലയർ വളരെ പിന്നോക്കം നിൽക്കുന്ന ഒരു സമുദായമാകയാൽ അവരിൽനിന്നും വിദ്യാഭ്യാസത്തിൽ മുന്നണിയിൽ വരുന്നവൎക്കെല്ലാം കുറെ നാളത്തേക്കെങ്കിലും കൂടുതൽ നിയമനങ്ങൾ സദയം നൽകുകയാണു വേണ്ടതു്. അതിനുനിവൃത്തിയില്ലാത്തപക്ഷം പ്രത്യേക സൗജന്യവ്യവസ്ഥയെങ്കിലും പൂൎണ്ണമായി അംഗീകരിക്കേണ്ടതാണ്. ഇൻറർമീഡിയററു് ഡിവിഷനിലേക്കുയോഗ്യതയുള്ളവർ കുറവാകയാൽ ലോവർ ഡിവിഷനിൽ കൂടുതൽ നിയമനം നൽകാൻ വ്യവസ്ഥചെയ്യണം. പുലയർ മുതലായവരുടെ ദയനീയസ്ഥിതി അറിയാൻ പാടില്ലാത്തവർ ആരും ഉണ്ടാകാനിടയില്ല. ഗവൺമെൻറിൻെറ ദയവേറിയ സത്വരശ്രദ്ധ ഈ വിഷയത്തിൽ പതിയാനിടയുള്ളതിനാൽ ഇതിലധികം പറയാൻ ഇപ്പോൾ ഞാനാശിക്കുന്നില്ല.

[Mr. T. T. Kesavan Sastri]

സർ, മേലാൽ ഉണ്ടാകേണ്ട നിയമനങ്ങളെ സംബന്ധിച്ചും മററും നാഷനൽ കാൺഗ്രസ്സ പാർട്ടിയിൽനിന്നും ഗവണ്മെൻറിലേക്ക സമർപ്പിച്ചിട്ടുള്ള മെമ്മോറാണ്ടത്തെ സംബന്ധിച്ചും ഒന്നു രണ്ടു വാക്കുകൾ പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. ഇവിടത്തെ എല്ലാ സമുദായക്കാരുടേയും താല്പര്യങ്ങളെ പരിഗണിച്ചു കൊണ്ടുള്ള നിർദ്ദേശങ്ങളാണ് ഇതിൽ കാണുന്നത്. എങ്കിലും ന്യൂനപക്ഷക്കാൎക്കും അവശസമുദായക്കാൎക്കും നിലവിലിരിക്കുന്ന സൗജന്യങ്ങൾ വിസ്തൃതങ്ങളായിട്ടാണ് കാണുന്നത്. ഇത് ശരിയായിട്ടില്ലെന്നുതന്നെ ഇവിടെ എടുത്തു പറയേണ്ടി വന്നതിൽ വ്യസനിക്കുന്നു. ൮,൬൮,൪൧൧ ഉള്ള നായർ സമുദായത്തിനു ൧൦ഉം ൮,൬൯,൮൬൩ ഉള്ള ഈഴവസമുദായത്തിനു ൧൦ഉം ഉദ്യോഗങ്ങൾ നിർദ്ദേശിച്ചിട്ടുള്ളപ്പോൾ ൨,൦൭,൩൩൧ ഉള്ള പുലയസമുദായത്തിനു രണ്ടുദ്യോഗമാണ് പറഞ്ഞിട്ടുള്ളതു. പുലയൎക്ക കൂടുതൽ സൗജന്യങ്ങൾ കുറെനാളത്തേക്കെങ്കിലും ഉണ്ടാകാതിരുന്നാൽ അവർ ഉദ്ധൃതരായി മുൻപോട്ടു വരുന്നതല്ല. ഗവണ്മെൻറിൻെറ സവിശേഷമായ ശ്രദ്ധ ഇതിലും പതിയുമെന്നുള്ളതിനാൽ ഈ ഭാഗവും ഞാൻ തൽക്കാലം വിടുന്നു. സർ, സർവീസ്സ കമ്മീഷണർ ന്യായം നടത്തുമെങ്കിലും തെററിദ്ധാരണകൾ ഇന്നില്ലാതില്ല. അതിനാൽ ഈ മെമ്മോറാണ്ടത്തിൽ ശുപാർശ ചെയ്തിട്ടുള്ള അഡൈ്വസറി കമ്മററിയുടെ ആവശ്യം അപരിഹാൎയ്യമാണ്. പലരും ഈ അഭിപ്രായത്തെ എതിൎക്കാമെങ്കിലും നാഷനൽ കാൺഗ്രസ്സ പാർട്ടി ശരിയായി അറിഞ്ഞു പറയുന്ന ഈ അഭിപ്രായം ആദരണീയമാണെന്നു തന്നെ ഞാൻ തീൎത്തു പറയുന്നു. ഉപദേശകസമിതികളുടെ പ്രയോജനം വളരെ വലുതാണെന്നു ഗവണ്മെൻറിനുതന്നെ ബോദ്ധ്യപ്പെട്ടിരിക്കാനാണിടയുള്ളതു.

ADJOURNMENT MOTION RE: THE POSTPONEMENT OF THE DEBT RELIEF BILL.

PRESIDENT: Order, order. It is half past three now and the adjournment motions will be taken up. I will call upon Mr. Narayana Pillai first, then Mr. Padiyara Joseph Kunju and then Mr. Velu Pillai. The other speakers will come afterwards.

MR. M. R. NARAYANA PILLAI (*Tiruvella*): Sir, I beg to move the adjournment of the business of the House to discuss a matter of urgent public importance *viz.*, the strenuous efforts on the part of the decree-holders to expedite sales of immovable and other properties and the execution of decrees of courts in view of the sudden postponement of the introduction of the Debt Relief Bill, which postponement has caused great discontent throughout the country.

Sir, the debt problem in Travancore has been something like a mill stone hanging from one's neck. The Government realised this. Accordingly they constituted a committee by a G. O. dated 11th July 1939. In that G. O. it was clearly stated that the report should be submitted within two months. The report though delayed was submitted on the 29th November 1939. We are now at the end of January 1940 and seven months have elapsed since the date of the G. O. A great deal of delay has been caused. Delay in these matters means more or less denial. My submission is that this bill should have been considered earlier. Even now, it is not too late for giving some relief to the poor debtors and agriculturists whose labour is the country's main source of wealth. On the second of January 1940 there was a rumour throughout the State that the consideration of the bill, though included in the provisional list of legislative business, will not be taken up. A representative body, among them a few members of this House, met the Dewan, and that body got the assurance of the Dewan that the bill would be taken up for consideration in this session.

PRESIDENT: What did that representative body do?

MR. M. R. NARAYANA PILLAI: On the 8th January 1940 the Dewan at Bhaktivilas more or less gave the assurance that the bill would be introduced in this session.

PRESIDENT: It is not a fact.

MR. C. JEBAMONY NADAR: May I know whether the member was among those who met the Dewan?

MR. M. R. NARAYANA PILLAI: I was one in that body. Any way, the revised list of the legislative business showed that the Debt Relief Bill was not included. A letter which was sent round by the Secretary to the members of the Assembly announced that the members of this House should be allowed an opportunity to discuss the report of the Committee and that a Bill will be drafted in accordance with the sense of the House. After that, the decree-holders made strenuous efforts to bring the immovable and other properties of the debtors to court-sales and also started proceedings against the person of the debtors by arresting them and incarcerating them in jail. This has really caused considerable panic and consternation in the minds of the people of the State. It is certainly the duty of the Government to prevent every attempt on the part of the decree-holders to have recourse to such coercive steps with a view to see that the debtors are not enabled to enjoy the benefit of any legislation which may come into force shortly. Steps should be taken by the Government for staying all execution proceedings till such time as the new legislation may come into force. In that way Government can make a gesture of their good will for the poor debtors of this country.

In this connection I would submit that steps should be taken to abolish the vicious practice of arresting people and putting them in jail for debts. This is more or less a remnant of an ancient barbarous system when revenge was the law. If this practice is stopped, I think, it will be another epoch-making achievement of Travancore.

PRESIDENT: Supposing for instance a person has borrowed money on promisory notes for Rs. 10,000 and within two years alienates all his properties, is it the idea of the honourable member that as he cannot be arrested, the money need not be recovered?

MR. M. R. NARAYANA PILLAI: No, Sir. I was only saying that the practice of putting people in jail for debts should be stopped.

PRESIDENT: Supposing a man has deliberately defeated the law and has alienated all his properties, even then, would the honourable member think that no arrest is necessary?

MR. M. R. NARAYANA PILLAI: In that case he should be sent to jail for contempt of Court. I am sure that Government could come to the help of the debtors and the legal advisors to Gevernment would put things clearly before Government. The strong hands of the Government must come to the help of the debtors· With these words I commend my motion for the acceptance of the House.

MR· PADIYARA JOSEPH KUNJU: സർ, ഈ വിഷയത്തിൽ പ്രാധാന്യം എത്രത്തോളമുണ്ടെന്നുള്ളതു ഇതിനെ സംബന്ധിച്ചു ഇത്രമാത്രം അടിയന്തിരപ്രമേയം ഇവിടെ ഹാജരാക്കിയിട്ടുള്ളതിൽനിന്നും അറിയാവുന്നതാണ്. എന്റെ പേരിൽ തന്നെ രണ്ടു അടിയന്തിരപ്രമേയമാണുള്ളതു്. ആദ്യത്തേതു് ഇതാണ്.

"I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance *viz.*, the dropping of the Travancore Debt Relief Bill from the agenda for this meeting of the Sri Mulam Assembly."

രണ്ടാമത്തെ പ്രമേയം ഇതാണ്.

"I move that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the situation created by the delay in introducing the necessary legislation regarding debt relief although it was included in the original agenda of the business of this session of the Assembly."

ഇവ രണ്ടും അർത്ഥത്തിൽ ഒന്നു തന്നെയാണെങ്കിലും രണ്ടു ദിവസമായി അയച്ചതാണ്.

സർ, എന്റെ സ്നേഹിതൻ മി. എം. ആർ. നാരായണപിള്ള ഈ വിഷയത്തെപ്പററി ശക്തിയായി പ്രസ്താവിച്ചു കഴിഞ്ഞതുകൊണ്ടു ഞാൻ ഇതിനെപ്പററി അധികം പറയണമെന്നു വിചാരിക്കുന്നില്ല. തിരുവിതാംകൂർ കൃഷികർമ്മപ്രധാനമായ ഒരു രാജ്യമാണെന്നോ, ഈ രാജ്യത്തെ കർഷകരെ സഹായിച്ചാൽ മാത്രമേ രാജ്യത്തെ ഐശ്വര്യാഭിവൃദ്ധിയിലേക്കു നയിക്കാൻ സാധിക്കയൊള്ളു എന്നോ, കർഷകരുടെ ക്ഷേമാദികളിലാണ് ഈ രാജ്യത്തിന്റെ ഐശ്വര്യാഭിവൃദ്ധികൾ സ്ഥിതിചെയ്യു

ന്നതെന്നോ പ്രത്യേകം പറയേണ്ട ആവശ്യമില്ല. ഈ രാജ്യത്തെ ശാശ്വതമായ സമാധാനവും സംതൃപ്തിയും ഈ പ്രശ്നത്തിന്റെ തീരുമാനത്തിലാണു സ്ഥിതിചെയ്യുന്നതെന്നു ഗവൺമെന്റിനെ ഈ അവസരത്തിൽ ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

സർ, ഈ വിഷയത്തെ സംബന്ധിച്ചു മി. ജോസഫ് വിതയത്തിൽ ശ്രീമൂലം അസംബ്ലിയിലും ഞാൻ ശ്രീചിത്തിരസ്റ്റേററ കൌൺസിലിലും ഓരോ ബിൽ ഹാജരാക്കിയിരുന്നു. എന്നാൽ ആ ബില്ലുകൾക്ക് എന്തു സംഭവിച്ചുവെന്ന് ആക്കും അറിഞ്ഞുകൂടാ. ഗവൺമെന്റ് ഇതിലേക്കു ഒരു കമ്മിററിയെ നിയമിക്കണമെന്നും അവരുടെ അഭിപ്രായം കേട്ടശേഷം അവരെക്കൊണ്ടുതന്നെ ഒരു ബിൽ ഉണ്ടാക്കിച്ചു നിയമസമിതിയിൽ ഹാജരാക്കാമെന്നും പറഞ്ഞതനുസരിച്ചു ഞങ്ങൾ ഞങ്ങളുടെ ബിൽ വാദപ്രതിവാദത്തിനെടുക്കണമെന്ന് നിർബന്ധിച്ചില്ല. അതു കഴിഞ്ഞശേഷം ഈ യോഗത്തിന്റെ അജൻഡായിൽ ഈ ബിൽ അവതരണം കൂടി ഉൾപ്പെടുത്തി. ഇപ്പോൾ പറയുന്നു, പൊതുജനങ്ങളുടെ അഭിപ്രായം അറിയണമെന്ന്. പൊതുജനങ്ങളുടെ അഭിപ്രായം അറിയുന്നതിനു ഈ പ്രതിനിധി സഭകളിലെ വിമർശനത്തേക്കാൾ പററിയ മാർഗ്ഗം എന്താണെന്നു ഞാൻ ഗവൺമെന്റിനോടു ഗൌരവമായി ചോദിച്ചു കൊള്ളുന്നു. ൧൧൧൪ മിഥുനം ൨൦-ാനു-യിലെ ശ്രീചിത്തിരസ്റ്റേററ് കൌൺസിലിൽ ഇതേപ്പററി ഒരു അടിയന്തിരപ്രമേയം അവതരിപ്പിച്ചപ്പോൾ അങ്ങു പ്രസ്താവിച്ചതു ഇപ്രകാരമാണ്.

" It is the intention of the Government to expedite the matter by means of this authoritative committee; and on the definite decision of the committee, Government will act without any avoidable delay. Honourable members may rest assured that when the recommendation of the committee comes up before the Government they will *at once* constitute the necessary legislative machinery, or bring into existence a special meeting of the legislature—a joint meeting, if need be or if necessary, pass it as an emergent measure. I may assure the honourable members, once again, that there is absolutely no idea of postponing or merely pretermitting the decision on this question .... If necessary Government will authorise this committee to submit an interim report if they consider it necessary."

ശ്രീമൂലം അസംബ്ലിയിൽ അങ്ങു പറഞ്ഞതു് ഇപ്രകാരമാണ്.

" It is hoped that this committee will, as soon as possible, produce not only their recommendations but a draft bill for consideration by this House. The House will be requested to elect the members to serve on that committee in the course of today or tomorrow and due notice will be given for the same."

[Mr. Padiyara Joseph Kunju]

സർ, തിരുവിതാംകൂറിലെ നിയമസഭാ പ്രസിഡൻറിൻെറ പ്രസ്താവനകൾ പരിപാവനങ്ങളാണെന്നാണ് ഞങ്ങൾ വിചാരിക്കുന്നതു്. അതു നടപ്പിൽ വന്നു കാണാത്തതിൽ ഞങ്ങൾക്കു അസ്സീമമായ സങ്കടമുണ്ടെന്നു മാത്രമാണ്, ഈ രാജ്യത്തു ദാരിദ്ര്യം അനുഭവിക്കുന്ന, പട്ടിണിയിൽ ആണ്ടു കിടക്കുന്ന കർഷകരുടെ നാമത്തിൽ ഞാൻ അറിയിക്കുന്നതു്. ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ടു് ഈ അടിയന്തിരപ്രമേയത്തെ സഭയുടെ അംഗീകാരത്തിനായി സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. G. VELU PILLAI (*Karunagapally* cum *Karthigapally*) : Sir, my own adjournment motion is in substance the same as those already moved by the two previous speakers.

MR. S. CHATTANATHA KARAYALAR : Sir, I rise to a point of order. Are there several motions before the House or is there only one motion which has been moved by the first speaker and on which the others are talking.

PRESIDENT : There is only one motion.

MR. G. VELU PILLAI : Sir, the announcement in this Assembly about the appointment of an authoritative Committee to go into the question of debt relief was welcomed by one and all as evidence of the fact that Government are fully alive to the seriousness of the economic condition of the country at present. The Committee was appointed in July last and it has submitted its report at the end of November. The Committee has also submitted a draft bill along with its recommendations. We are now at the end of January 1940. Sir, the appointment of the Committee was stated to be to speed up matters and to avoid delay in the bill having to pass through the Select Committee stage. Thousands of debtors all over the country were anxiously awaiting the report of the Committee in the pious hope that, as soon as it come, a bill would be introduced in the legislature, in a Joint Session if necessary and at once passed into law. Sir, during the last few months, the people have had only two important things to talk about, (1) the war and (2) the Debt Relief Bill. From this, it can be seen how anxious the people are about this matter. Further, credit itself is at a standstill now since the creditor himself knows not what will become law very soon. Continuous execution proceedings are taken and properties are being sold in court auction. The condition of the people is becoming worse and worse day by day. They have been made to wait too long for the Debt Relief Act. But I fear the last straw may break the camel's back. In the agenda paper which we first received, this bill had also been included. But, a few days hence came in an amendment which stated that only the Report of the Committee would be discussed this time, and that the bill would be taken up only at a subsequent Session. Sir, we do not know when next this House will meet and when the bill will be introduced. My honourable friend who preceded me has referred to the observations of the Dewan-President at

the last meeting of the State Council; I will refer to the Chief Secretary's Statement also at the same time. I will just read out what the Chief Secretary has stated:—

> "In this connection I may also state that it will take a longer time for the bills which have been introduced in the Assembly to pass through the various formalities and finally to be passed into law. Government assure the House that the matter will be looked into very carefully and steps will be taken to have the matter disposed of as expeditiously as possible."

Sir, I am sorry to say that, neither the assurance of the Dewan-President nor that of the Chief Secretary has borne fruit. The whole country is now disappointed, discontented and anxious. As a temporary measure at least, I would suggest that all the execution proceedings be stopped till the bill becomes law. In this connection, I may refer to the supplementary note by Mr. Narayana Kurup, to the Report of the Debt Relief Enquiry Committee, at page 95:—

> "It is certain that the recommendations of the Committee will take some time to become an Act. By that time the decree holders may be harassing the debtors by proceeding such as arrest and sale of property. Of course to prevent such a state of affairs the debtors will be paying something with very great difficulty. No, doubt that payments towards what one owes is quite necessary and laudable. But that should not allow the creditors to have an undue advantage. The report says that any amount of interest paid in excess allowed by the new provisions will not be set off towards the principal. So much so that if the decree holders by their harassing processes able to realise more money which may go in excess allowed by the provisions, the debtor will not get credit to it, but if it is paid after the Regulation it may help the debtor to reduce his liability sanctioned by the new provisions. The provision to set aside the sale after 1-12-1114, will not obviate the above contingency. Even if the sales are set aside in these cases the costs will be an additional burden on the debtors. One of our colleagues suggested to the Committee that it should recommend to Government to stay all execution proceedings and attachment of movables before judgment till the new Regulation comes into force. I also supported him but the Committee did not think it worth while to consider the suggestion. I think the Committee ought to have recommended for a stay of execution of decrees and attachment of movables before judgment."

Sir, if all execution proceedings are stopped till the bill becomes law, that will afford some relief to the over-burdened debtor. With these words, I support the motion.

MR. J. E. A. PEREIRA (*Commerce and Industry, South*): Sir, representing as I do the commercial community, I feel it would be a dereliction of duty on my part if I do not oppose this resolution with all emphasis I can command. In doing so I request that I should not be misunderstood as being unsympathetic towards the rural debtor who certainly needs relief and that urgently. That is a matter on which there is no possibility of any divergence of opinion. Government

[Mr. J. E. A. Pereira.]

themselves have realised the situation ; and that is why they have been granting liberal and generous remissions of land tax. There is therefore no denying the fact that there is rural indebtedness to a very large extent and that those debtors stand in need of substantial and urgent relief. As a commercial man myself I cannot shut my eyes to that fact; because the rehabilitation of the agriculturist is a condition precedent for the prosperity of trade. But, Sir, unfortunately, trade debts have also been coupled with rural agricultural indebtedness. I shall discuss this matter more elaborately when the Report itself comes up for discussion. At this stage I merely want to point out that my only reason for opposing the motion is that trade debts have also been coupled with agricultural debts. If even now I will be assured that trade debts will be eschewed, I will be the first to give my whole-hearted support to the present motion and to the bill, But as it is, the remedy suggested is worse than the disease. Sir, no one will deny that credit is essential for every country. All those general questions I shall reserve for fuller discussion when the Report is taken up.

As regards Mr. Narayana Pillai's observation, I find that the draft bill contains sufficient safeguards..........

MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Karthigapally*): May I ask whether those details can be discussed now?

MR. J. E. A. PEREIRA : I was only going to make a casual reference ; that is all.

Sir, my point is that, so long as trade debts have also been brought in, the whole matter to be very carefully scrutinised; there is not much justification in my friends' trying to hurry it up. With these words I oppose the motion.

PRESIDENT : As the discussion is taking a very wide range and as more than one reference has been made to certain assurances given by the Dewan or by the Government or by the Chief Secretary, one or two matters might perhaps be mentioned for the purpose of clarification of the issue. It is not to be suggested for a moment that the circumstance that the Bill does not come up for consideration at this meeting signifies any reluctance on the part of the Government or is meant merely to mark time and give rise to that discontent which has been so vividly described. The Bill has not been brought in this time, solely because Government came to the conclusion that there are certain aspects of the matter which had to be very carefully considered before the actual Bill itself is put forward before the Legislature ; Government felt that it would be very useful if, before the Bill is taken up, the House would discuss threadbare the Report of that influential committee which has been made available to Government without any avoidable delay. I quote myself and say that there would be a meeting of the Legislature very soon to consider a bill, which might be the bill furnished by the committee or that bill suitably amended. But the point is of much wider import than what has emerged from out of the discussion so far.

The root problem is the problem of rural indebtedness. That rural indebtedness has to be releived and some kind of assistance afforded, there can be no doubt. But there are three or four parties to the transaction. There is Government responsible for the peace and contentment of the country. There are the creditors who have advanced money and have, on the basis of such advances, entered into certain commitments with their own creditors. There are the debtors who, either on account of the present economic depression or otherwise find themselves unable to fulfil their strictly legal obligations. There are traders and trade obligations. Now, what is to be done in justice to all these interests?

So far as Government have been able to gauge public opinion, the creditor class is perfectly willing to have the debts scaled down having regard to conditions in the country, provided they can be assured of payment of the debts so scaled down within reasonable time. I for one do not see much difficulty in persuading the creditor class to have the debts scaled down to 20, 30 or even 40 per cent., provided the balance would be paid within measurable periods. What they are afraid of is just what is threatening and happen in a neighbouring State. Let me tell you what is reported from Cochin yesterday. The members of the Legislative Council have sent a petition to the Dewan urging the need to extend the time for the payment of the first instalment of agricultural debts as scaled down. They state that since passing of the Act, the economic condition of the agricultural debtor has not improved, and that the Credit Bond Scheme of the Government has not materialised to enable the agricultural debtors to pay the first instalment of the debts. They are therefore asking the Government of Cochin to extend the partial moratorium till the end of the current year, that is the middle of August. If that is the kind of settlement we initiate it may not take anywhere though it may break down the credit machinery.

Now let us assume for a moment that debts are scaled down by 40 or 50 per cent and nothing else is done. No doubt the Government and the Legislature can console themselves that relief has been granted to the agriculturist, that his debts have been scaled down and one important matter disposed of.

But the question would arise for the debtor to raise some money from some quarter to pay his debts so scaled down. Now in Cochin the Government thought of a credit bond scheme, but there has arisen a real difficulty on account of the present money market condition. The position of the Travancore Government is different as we are willing to take definite risks. They are willing to consider the possibility of tackling the problem to the extent of their readily available resources. One of the important points that this House has to consider is whether the proposed legislation can come into effect without the Government's assistance. Can it be worked without Government assistance in some form or other? If so, the Government could easily take up a definite stand, they would be guided largely by the sentiments of the representatives of the people and you would soon get a legislation. But that may not take the people very far.

[President.]

Supposing the debts are scaled down by 30 per cent or 40 per cent, and at the end of 3 months or 6 months, or even one year, they find the position exactly as it is now. Then there will be clamour for another legislation, a further scaling down, another moratorium. What we want is an effective method of wiping out the incubus of debts, so that people might be able to start with a clean slate. It is for that reason that the Government are anxious that the whole question should be very carefully gone into before any legislation is thought of. It is there that Government would like to have the benefit of the full discussion here of the various aspects of the Report. Let me illustrate the position. Please let it not be understood that the figures I am going to mention are final or decisive or binding on Government. Assuming that Government come to the conclusion that, having regard to the extent of agricultural indebtedness and the general feeling in the land they should set apart, let us say, one crore of rupees, what does that mean for the relief of agricultural indebtedness? These figures are purely hypothetical: let them not be taken as binding on Government. That one crore of rupees might be obtained by Government in the money market to-day at about $3\frac{1}{2}$ per cent. Some kind of sinking fund arrangement spread over two decades may have to be made and we may have to provide for a sinking fund etc. Any such arrangement would mean that Government will have to set apart, for the next 20 years, rupees five lakhs every year to the debit side of their budget. No doubt, it may be argued that realisations will come in. But we have had some experience of the realisation of agricultural and industrial loans. If we get realisations, we shall be lucky; if we do not, the Government have to shoulder the residual liability.

With that one crore, let us see whom we can help? I am told that decreed debts alone amount to Rs. 8 crores. There are other debts too. Obviously, therefore, Government can only attempt to relieve the small agricultural debtors who have really suffered and who are still suffering; not those people who have indulged in speculations and lost money, persons who have contracted large amount of debts and who rely on propaganda and influence for the purpose of getting indirect concessions from Government. The bigger debtors and their bigger creditors will have to deal with the matter themselves.

Therefore, the question is to what extent Government can come in to the aid, and if Government comes in, whom they can help and which would be the easiest approach to the solution. These are the matters which Government thought fit could with advantage be considered by this House, before actually starting on a legislative enactment. If the House is of the opinion that the present bill as embodied in the Committee's report would be sufficient, they can now ask for the bill being brought in at the next sitting of the Legislature, which will not be very far from now. Only, Government consider that having regard to the wide scope of the Committee's Report, the House may

after full discussion, come to the conclusion that the draft bill needs changes. The debts may have to be classified and dealt with differently. As a matter of fact, the Committee has realised the need to advert to all the questions and have put forward their suggestions. Naturally, they could not put them all in a more crystallised form than they have done. Government expect the help of the Legislature in regard to this question. That and that alone—nothing sinister or indirect—was the purpose of Government in thinking of such a preliminary discussion before the actual introduction of the legislation. I may perhaps repeat that there will be no avoidable delay in taking on hand the necessary legislative measure to solve the problem of indebtedness.

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnathur*): May I put a suggestion to Government that instead of saying that a Bill be brought up for discussion in a joint session as early as possible, why not they definitely say that a Bill will be introduced on a particular day and thus allay the apprehension of the people at large.

MR. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*): Sir, I support the motion before the house. There is a saying that justice delayed is justiced denied. To my mind that statement can be applied with equal force if not greater force to debt relief. Debt relief delayed is debt relief denied. The question of debt relief has been before the attention of Government ever since the commencement of depression. The depression started in 1929. In that year itself the Government appointed the unemployment committee. After that the banking enquiry committee, next the economic depression enquiry committee, and then the agricultural debt relief enquiry committee came into existence. Finally, the debt relief enquiry committee was appointed. The reports of all these committees are before Government. After making extensive investigations, local enquiries and examination of witnesses they have submitted authoritative reports. My submission is that the Government are in possession of sufficient data to embark upon the legislation needed for the people at large.

PRESIDENT: But what is the result of that in terms of money?

MR. K. DOMINIC JOSEPH: Sir, the Dewan-President has been stating that Government assistance cannot go to wipe out the whole indebtedness of the people of Travancore. That we can perfectly understand. My submission is that Government assistance, if at all need, go only to a limited extent and for a limited amount. For example Government need advance money or issue bonds only to the assistance of debtors whose debts amount to a maximum limit of Rs. 2,000 or Rs. 5,000. As to the major debtors whose debts exceed Rs. 5,000, let them be allowed the benefit of the other beneficient provisions such as reduction of interest as well as the instalment system. The major debtors will be benefited by those provisions, at least to a certain extent.

MR. M. SIVATHANU PILLAI: Are the remarks of the honourable member germane to the adjournment motion now under discussion?

PRESIDENT: That is one way to gauge the seriousness of the situation.

MR. K. DOMINIC JOSEPH: Attempting to answer the points raised by the Dewan-President, I was submitting that the major debtors may be excluded, if necessary, from any arrangement that may be made with regard to the issue of bonds or granting the loan through financial agencies. Let them be benefited by the other measures of relief, the instalment system and the reduced rate of interest.

As to the difficulty raised in realizing the scaled down debts, the report itself says it is only in respect of debtors who will pay their debts within a period of 1½ years the concessions will apply. If a debtor fails to pay that amount within 1½ years it means that he will be denied the concession of scaling down. Therefore there is ample protection for the creditors in the report itself.

As to the existence of the problem of debt relief, and also the seriousness of it there is no dispute. Therefore the urgent duty of the Government is to give the maximum amount of relief to the debtors at the earliest possible moment without sacrificing the genuine interests of the creditors.

MR. M. R. NARAYANA PILLAI: In view of the statement by the Dewan-President I do not press my motion. I may be permitted to withdraw it.

MR. M. SIVATHANU PILLAI: Sir, I object to the motion being withdrawn.

(The question of withdrawal was next put to vote and lost.)

MR. N. VELU ACHARI (*Nominated*): സർ, കടനിവാരണബിൽ അസംബ്ലിയുടെ ആലോചനയിൽ എടുക്കുന്നതിനായി അവതരിപ്പിച്ചിരിക്കുന്ന ഈ പ്രമേയത്തെ സംബന്ധിച്ചു അനുകൂലമായും പ്രതികൂലമായും അഭിപ്രായങ്ങളുണ്ടായി. എന്നാലിതിന്റെ യഥാർത്ഥസ്ഥിതി എന്റെ അറിവിൽപ്പെട്ടിടത്തോളം ഞാനിവിടെ അറിയിക്കാൻ ആഗ്രഹിക്കുന്നു.

സർ, ഈ രാജ്യത്തുള്ള ധനത്തിൽ ഭൂരിഭാഗവും ഏതാനും ചില കുബേരന്മാർ മാത്രമാണു ഇപ്പോഴും കൈവശം വച്ചുകൊണ്ടിരിക്കുന്നതു്. ഇവിടത്തെ ബഹുഭൂരിപക്ഷം ജനങ്ങളും സാധുക്കളാണല്ലോ. ഈ സാധുക്കൾ ഇപ്പോഴത്തെ അതിദാരുണമായ വ്യാപാരമാന്ദ്യം, തൊഴിൽ ശൂന്യത കാർഷികോൽപ്പന്നങ്ങൾക്കുള്ള വിലക്കുറവു മുതലായ സംഗതികളാൽ വളരെ അവശത അനുഭവിച്ചുവരുന്നുണ്ടു്. അതുകൊണ്ടാണല്ലോ ഇവിടത്തെ നേതാക്കന്മാരും ഗവണ്മെന്റും ഈ ഹൗസിലെ മെമ്പന്മാരും ചേർന്നു വേണ്ട നിവാരണമാർഗ്ഗം ഉണ്ടാക്കുന്നതിനു് തീവ്രമായി പ്രയത്നിച്ചതു്. അതിന്റെ ഫലമായി ഒരു ബില്ലും ഉണ്ടാ

യി. മേൽപറഞ്ഞ വിഷമങ്ങളെ പരിഹരിക്കുന്നതിനായി ഇതു് ഏതുയും വേഗത്തിൽ പാസാക്കി ഈ സാധുക്കളായ കടക്കാരെ അതിൽനിന്നും മോചിപ്പിക്കേണ്ടതു് വളരെ അത്യാവശ്യമായിട്ടുള്ള ഒരു സംഗതിയാണു്. ബഹുമാനപ്പെട്ട അദ്ധ്യക്ഷസ്ഥാനത്തുനിന്നും ചില സംഗതികൾ പ്രസ്താവിച്ചിട്ടുള്ളതു് പരമാൎത്ഥമാണെങ്കിലും ഇന്നത്തെ കടക്കാരുടെ നില വളരെ പരിതാപകരമെന്നല്ലാതെ പറയുവാൻ നിവൃത്തിയില്ല. വലിയ തോതിലുള്ള കടക്കാൎക്കു് പെട്ടെന്നു് സഹായം ചെയ്തുകൊടുത്തില്ലെങ്കിലും തരക്കേടില്ല. ഒരു നിയമത്തിന്റെ ആവശ്യം അവശതയും കഷ്ടതയും അനുഭവിക്കുന്ന കടക്കാർക്കാണു് ഇന്നു് അത്യാവശ്യമായിട്ടുള്ളതു്. വല്ലവരും വൻതുകകൾ കടം വാങ്ങിയിട്ടുണ്ടെങ്കിൽ അവരുടെ പരിതസ്ഥിതിയും സൗകൎയ്യവും അതിനനുയോജ്യമായതുകൊണ്ടാണു് അവർ അങ്ങനെ ചെയ്തിട്ടുള്ളതു്. അതുകൊണ്ടു് വൻകടക്കാരുടെയും ചെറുകടക്കാരുടെയും നിലയും വിലയും മനസ്സിലാക്കി അതിന്റെ താരതമ്യമനുസരിച്ചു് വേണ്ട റിലീഫ് ഉണ്ടാക്കിക്കൊടുക്കുന്നതു് ഏററവും ഉത്തമമായ ഒരു സഹായമാണു്. ആയതിനാൽ ഉടനടി ആ ബിൽ ഈ അസംബ്ലിയിൽ പാസ്സാക്കുകയൊ അല്ലാത്തപക്ഷം ഈ സാധുക്കളെ ഉദ്ദേശിച്ചു് എന്തെങ്കിലും സൗകൎയ്യം കോടതിമുഖേന ചെയ്തുകൊടുക്കുന്നതിനു ഗവമെന്റിൽ നിന്നും നടപടി നടത്തുകയൊ ചെയ്യണമെന്നുള്ള അഭ്യൎത്ഥനയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad cum Parur*) : നിയമസഭയിൽ ഗവമെന്റു് ഏതോ നിയമങ്ങൾ കൊണ്ടുവന്നു കടക്കാരെ സഹായിക്കാൻ പോകുന്നു എന്നു് കുറെ കാലമായി കേട്ടിരുന്നതുകൊണ്ടു് പണക്കാർ കഴിയുന്നതും വേഗത്തിൽ തങ്ങളുടെ സ്വാധീനശക്തി ഉപയോഗിച്ചു് കർശനമായുമുള്ള നടപടികൾ നടത്തിച്ചു തങ്ങൾക്കു ഈടാക്കാനുള്ള കടങ്ങളെല്ലാം വസൂലാക്കി വരികയാണു്. അതിനുള്ള ശീഘ്രനടപടികളാണു കുറച്ചുകാലമായി കോടതികളിൽ നടന്നുകൊണ്ടിരിക്കുന്നതു്. ആ നിലതന്നെയാണു് ഇപ്പോഴും നടന്നുകൊണ്ടിരിക്കുന്നതു്. ഈ നിലയ്ക്കു ഈ ബില്ലു് പാസാക്കുന്നകാൎയ്യം കുറച്ചുകൂടി നീട്ടി വയ്ക്കുകയാണെങ്കിൽ അതിനിടയ്ക്കു് ശക്തിയായ നടപടികൾ നടത്തി തങ്ങൾക്കു ഈടാക്കാനുള്ള പണം വസൂൽചെയ്യുന്നതിനു് ഇന്നത്തെ പണക്കാൎക്കു് കൂടുതൽ സൗകൎയ്യം ലഭിക്കുന്നതാണു്. അങ്ങിനെ വരുമ്പോൾ കടക്കാരെ രക്ഷിക്കുന്നതിനുള്ള ഒരു ബില്ലിന്റെ ആവശ്യം തന്നെ ഇല്ലാതെ കഴിച്ചുകൂട്ടാവുന്നതാണു്. ഇതുവരെയുള്ള കർശനമായ നടപടികൾ നിമിത്തം ൭൫ പെർസന്റു് കടത്തുകകളും ഇപ്പോൾ തീൎന്നിട്ടുണ്ടു്. ഫ ഫ ഠ ൫

[Mr. K. P. Kochukora Tharakan.]

മുതൽ ൧൧൧൦ വരെ നടന്ന ലേലങ്ങളുടെ ഒരു പട്ടിക നോക്കുകയാണെങ്കിൽ ദിവാൻപ്രസിഡൻറ് അവർകൾ പറഞ്ഞ സംഖ്യയോളം വരുന്നതാണു. ഇനിയും മിഡ്സമ്മർ വെക്കേഷൻവരെ ഇതിനെ നീട്ടിക്കൊണ്ടുപോകുകയാണെങ്കിൽ ഈ ബില്ലുകൊണ്ടു് സാധാരണക്കാർക്കു വലിയപ്രയോജനം ഉണ്ടാകാനില്ല. ൧൧൧൪ മുതലുള്ള കടങ്ങൾക്കു റിപ്പോർട്ടിൽ ചില വ്യവസ്ഥകൾ പറഞ്ഞിട്ടുണ്ടു്. അതു് പാസായാലും ഇല്ലെങ്കിലും ജംഗമസാധനങ്ങളെ വിററു് തുക ഈടാക്കുന്ന നടപടി തൽക്കാലം നിറുത്തി വയ്ക്കുക തന്നെവേണം. കൂടാതെ സ്ഥാവരവസ്തുക്കളെ ലേലത്തിൽ വിളിക്കാതെ ജപ്തിയൊമററൊ ചെയ്കയും അതിലേക്കുള്ള ചിലവു് കടക്കാരൻ തന്നെ വഹിയ്ക്കണമെന്നു് വ്യവസ്ഥ ചെയ്കയും ചെയ്താൽ മതിയാകുന്നതാണു്. ഇങ്ങനെ ചെയ്താൽ സാധുക്കളുടെമേൽ കൂടുതൽ കടഭാരം ചുമത്താതിരിക്കാൻ സാധിക്കുന്നതാണു. ഇപ്പോൾ കൃഷിക്കാരെ സഹായിക്കാൻ പോകുന്നു, നിയമം ഉണ്ടാക്കാൻ പോകുന്നു എന്നെല്ലാം പണക്കാർ കേട്ടു് യാതൊരുദാക്ഷിണ്യവും കൂടാതെ സാധുക്കളെ ഉപദ്രവിച്ചുകൊണ്ടിരിക്കയാണു് ചെയ്തുവരുന്നതു്. ഇന്നു ബില്ലുവരും, നാളെ ബില്ലുവരും എന്നു് കുറെക്കാലമായി കേട്ടുകൊണ്ടിരിക്കുകയാണു്. എന്നാൽ ഇതുവരെ വന്നിട്ടില്ല. അതുകൊണ്ടു് ജംഗമസാമാനങ്ങളുടെ വില്പന നിറുത്തുകയും സ്ഥാവരവസ്തുക്കളെ ലേലം ചെയ്യാതെ ജപ്തി ചെയ്യുന്നതിനുള്ള വ്യവസ്ഥ മാത്രം മതിയെന്നു വെയ്ക്കുകയും ആണെങ്കിൽ ബില്ല് കൊണ്ടുവരുന്നതു് കുറെ താമസിച്ചായാലും തരക്കേടില്ല. അങ്ങിനെ ഒരു വ്യവസ്ഥ ചെയ്യണമെന്നുള്ള ഒരു അഭ്യർത്ഥനയോടുകൂടി ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. M. SIVATHANU PILLAI: I oppose the motion. It has been said that a very serious situation has been created simply because Government have not included in the agenda for this Session a Bill called the Debt Relief Bill. I wonder how it could be. Members who spoke in support of the motion put forward the contention that a very serious situation has been created by the Government in substituting Debt Relief Committee's report in the place of Debt Relief Bill in the revised agenda paper. The only serious situation, if any, that has happened since the appointment of the Committee to go into the question of debt relief is the world war and nothing else has taken place. It was announced on the floor of this House that the Government thought it would be more desirable to have the views of the members of the House before the Government take a particular line of tackling the debt problem and giving it in the shape of a Government Bill, and that is only they proposed to invite a discussion on the report. Has this caused

any serious situation? When I mentioned the world war, it leads to another aspect of the question The Dewan-President remarked that the question of asking the Government to find money to pay to the creditors when debts are scaled down, requires very serious thought. If at all there is any remote idea of the Government incurring such a liability, I warn them. We can easily imagine that, as soon as this war is over, there will be a terrible depression. Then the agriculturists will be highly prejudiced. I am sure that the depression that we envisage will be worse than the depression of the last war. So I would ask the Government not to entertain any idea of taking such a responsibility. The only seriousness of the situation is that they should be doubly sure before they take up this responsibility. By all means let there be a Bill to give relief to agricultural debtors, with an element of compulsion on the creditors. But I have absolutely no idea whatsoever to ask the Government to take any responsibility to give a single pie to the creditors on account of composed debts of the agriculturists, let alone the traders and industrialists, to satisfy their deb's. I understand that there is an attempt to rush through the Bill. There is no necessity, I say, of rushing the Bill through this House. Government must take serious notice of the situation. Let them watch the progress of the world war and its economic effect if they dare go into the market for a Debenture loan. If the world war is to come to an end at once, then they may think of exploring the money market for purpose of Debenture. If the world war is to continue then Government shall not take any responsibility of finding money to repay the debts even if the creditors are prepared to scale down the debts by 50 or 60 per cent. These are some of the aspects of the question to be seriously considered before the Government think of entailing any financial commitment to the creditors. With these words I oppose the motion.

MR. D. FRANCIS (*Kalkulam* cum *Vilavankod*): ஸர், கடன் வாங்கினவர்கள், கடனைத் திரும்பிக் கொடுத்துத் தீரவேண்டும். மழைக்குறைவினாலும், நெல் முதலிய சாமான்களின் விலை குறைந்துபோனதினாலும், வரவு சாமான்களின் விலை கூடுதலானதினாலும், நூற்றுக்கு ஒரு ரூபாய் வீதமுள்ள கடின வட்டிகள் கொடுக்க தவறியிருப்பதினால்தான் இந்த நெருக்கடி ஏற்பட்டிருக்கிறது. அதை சரிப்படுத்தவேண்டுமானால் வட்டியை சரியாய் குறைக்கவேண்டும். பணவசூல் செய்வதற்குள்ள காலாவதியை நீட்டிக் கொடுக்கவேண்டும். அநேகம் தவணைகளாக பணம் கொடுத்து தீர்க்கவும் சம்மதிக்கவேண்டும். ஜெயிலில் பிடித்துவைக்கிற சம்பிரதாயம் வேண்டாம். ஸ்தாவரஜங்கம சொத்துக்களை விற்று ஈடாக்கவேண்டும்.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, when I heard the argument of my honourable friend Mr. Sivathanu Pillai, I was afraid whether we were going to enact a legislation for the outside world also, because he observed that he wanted to see the termination of the world war.

MR. M. SIVATHANU PILLAI: I only said that that is also a matter for consideration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : During the course of his observation, though real circumstances were pointed out by various speakers with regard to the urgent necessity for the introduction of a Debt Relief Bill, he observed that the introduction of the Debt Relief Bill may be conveniently deferred till the normal economic conditions are restored throughout the world as the result of the termination of the present war. As an instance of the kind I would inform the honourable friend of the most beneficial provisions in Act III of 1112, *i.e.*, the Agriculturists' Relief Act. Sections 33 to 36 of that Act provide for the recovery of debts in instalments, the limitation of interest on past debts, limitation of interest on future debts and also limitation of interest on past paddy loans. It is admitted almost on all hands that the institution of Debt Conciliation Boards was not of much avail so far as problem of composition of debts is concerned. That is the reason why I submit that the most beneficial provision in Act III of 1112 are those contained in Sections 33 to 36 of that Act. It can be seen from the wording of the several sections referred to just now that those provisions could be in force only for a period of three years from the promulgation of that Act. The period prescribed for the operation of those sections has already expired and under the provisions of that Statute agriculturist debtors or creditors cannot apply to Civil Courts in execution of decrees for any relief under those sections. This is, I believe, a sufficient reason for the Government to take early steps for the introduction of a bill on the lines of the recommendations contained in the Report of the Committee appointed for the purpose and also to see that adequate legislative enactment is passed at the earliest moment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*) : Sir, I wish to correct the honourable member. I wish to point out to him that the period contemplated in that Act has been extended by a Proclamation. Probably my honourable friend may not be aware of that enactment.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : I am not unaware of it. But even the extended period will expire very soon. And if early steps are not taken for the introduction of a bill the extended period also is likely to expire shortly and we may not be able to enjoy the beneficial provisions of a statute on the lines of recommendations contained in the Report of the Debt Relief Enquiry Committee. Hence it is necessary that we should accept the adjournment motion even though the mover ventured to withdraw the motion, in which attempt he was defeated.

MR. T. C. KESAVA PILLAI : ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന അടിയന്തിരപ്രമേയത്തെ ഞാൻ ഹാർദ്ദവമായി പിൻതാങ്ങുന്നു. പ്രമേയത്തിനാധാരമായ സംഗതിയെപ്പററി വിമർശിക്കുന്നതിനു ധാരാളം സൗകര്യമുള്ളതുകൊണ്ടും അതിലേക്ക് പ്രത്യേക സമയം നിശ്ചയിച്ചിരിക്കുന്നതുകൊണ്ടും

പ്രമേയത്തിന് ഹേതുഭൂതമായ സംഗതികളെപ്പററി മാത്രം പ്രസ്താവിക്കാമെന്ന് വിചാരിക്കുന്നു. പ്രമേയത്തെപ്പററി എൻെറ ചില മാന്യസ്നേഹിതന്മാർ ഇവിടെ പ്രസ്താവിച്ചുകഴിഞ്ഞു. ശ്രീമാൻ ശിവതാണുപിള്ള അവർകൾ കർഷകരുടേയും ബാങ്കിൻെറയും മുനിസിപ്പാലിററിയുടേയും പ്രതിനിധിയാണ്. നാഗർകോവിൽ മുനിസിപ്പൽ അതൃത്തിക്കകത്ത് കുളത്തിലെ വെള്ളം കോരിക്കൊടുത്താലും തരക്കേടില്ലാ എന്നു പറഞ്ഞതുപോലെ ഈ അടിയന്തിരപ്രമേയം ആവശ്യമില്ലെന്നാണു അദ്ദേഹം പറയുന്നതു്. എക്സിക്യൂഷൻ നടപടികളെ ഉടൻ നിറുത്തിവയ്ക്കേണ്ടതു് വളരെ അത്യാവശ്യമായ ഒരു കാര്യമാണ്. ആയിരം രൂപായ്ക്കു വസ്തു വാങ്ങിച്ചാൽ നാലു ശതമാനം പലിശയെ കിട്ടുകയുള്ളു. എന്നാൽ ആയിരം രൂപാ കടം കൊടുത്താൽ ൧൨൦ രൂപാ കിട്ടും. ഗവർമ്മെൻറിൽ നിന്നും ഒരു ബില്ലു കൊണ്ടുവന്ന് പണക്കാരെ അമർത്തുന്നതായാൽ വസ്തു വസ്തുവായിത്തന്നെ എഴുതിവാങ്ങുന്നതിനും വസ്തുക്കൾക്ക് വില കൂടുന്നതിനും സംഗതിവരുന്നതാണു. അതുകൊണ്ടാണ് രാജ്യതന്ത്രജ്ഞനായ സചിവോത്തമൻ ഇപ്രകാരമുള്ള നടപടികൾ ഉടനടി നടപ്പിൽ വരുത്തണമെന്ന് ഉദ്ദേശിച്ചിട്ടുള്ളതു്. ദീർഘദർശികളായ ഉത്തമന്മാർ കണ്ടുപിടിക്കുന്ന സംഗതികൾ ഇങ്ങിനെ ഉള്ളവയാണ്. ചില ബാങ്കുകളിൽ പണമുണ്ടെങ്കിലും സാധുക്കൾക്ക് അവിടെ നിന്നും കടം കിട്ടുകയില്ല. ഇരുപത്തയ്യായിരം രൂപാ കൊടുത്തു വാങ്ങിച്ച വസ്തുവിനു ഇപ്പോൾ ആയിരം രൂപാ കിട്ടുകയില്ല. അതുകൊണ്ട് ഒരു ബിൽ പാസാക്കിത്തീരുന്നതുവരെ എക്സിക്യൂഷൻ നടപടികൾ നിറുത്തിവയ്ക്കേണ്ടതു അത്യാവശ്യമാണു എന്നുള്ള സംഗതി ഞാൻ സഭാസമക്ഷം അറിയിച്ചുകൊള്ളുന്നു.

MR. M. SIVATHANU PILLAI: അങ്ങിനെ ചെയ്യുന്നതുകൊണ്ടു വല്ല പ്രയോജനവും ഉണ്ടാകുമോ?

MR. T. C. KESAVA PILLAI: പ്രയോജനമുണ്ടു. എത്രയും ഉത്തരവാദിത്വത്തോടുകൂടി പ്രവർത്തിക്കേണ്ടുന്ന ഒരു സംഗതിയാണു ഇതു. അതുകൊണ്ട് നല്ലപോലെ ആലോചിച്ച് ഇന്നത്തെ വിഷമസ്ഥിതിയെ പരിഹരിക്കുന്നതിന് ഒരു വിളംബരം പ്രസിദ്ധപ്പെടുത്തേണ്ടതു് അത്യാവശ്യമാണു.

MR. K. R. NARAYANAN (*Vaikom cum Kottayam*): സർ, മി. എൻ. ആർ. നാരായണപിള്ള അവതരിപ്പിച്ചിരിക്കുന്ന അടിയന്തിരപ്രമേയം ശക്തിയായി പിൻതാങ്ങുന്നു. കടനിവാരണത്തിനു ഗവർമ്മെൻറ് എടുക്കുന്ന നടപടികളെന്തെല്ലാമാണെന്നും, ജനപ്രതിനിധികൾ അവരുടെ ചുമതല എങ്ങിനെ നിർവഹിക്കുന്നുവെന്നും, ബഹുജനങ്ങൾ ഉൽക്കണ്ഠയോടുകൂടി നോക്കിക്കൊണ്ടിരിക്കു

[Mr. K. R. Narayanan.]

കയാണു. നിർഭരമായ കടംമൂലം വിഷമിച്ചു കഴിയുന്ന നാട്ടുകാരുടെ ഇന്നത്തെ ഏകപ്രശ്നം, അവരുടെ പുരോഗതിയുടെ മുമ്പിൽ വിലങ്ങടിച്ചുനില്ക്കുന്ന ഋണബാദ്ധ്യതകൾ പരിഹാരം ഉണ്ടാക്കുകയെന്നുള്ളതല്ലാതെ മറ്റൊന്നുമല്ല. അതിനുണ്ടാകുന്ന കാലവിളംബം പൊതുജനങ്ങളെ അസ്വസ്ഥരാക്കുന്നു, അമ്പരപ്പിക്കുന്നു. ഈ അടിയന്തിരപ്രമേയം എതിർത്ത മി. ശിവതാണുപിള്ളയുടെ വാദഗതി വളരെ വിചിത്രമായിരിക്കുന്നു. ഋണനിവാരണബില്ല പാസ്സായാൽ, ഋണബാദ്ധ്യതകൾ തീർക്കുവാൻ ഗവണ്മെന്റു കടം കൊടുത്തു സഹായിക്കേണ്ടിവരും. അനേകമാളുകൾക്കു കടം കൊടുക്കുവാനുള്ള സാമ്പത്തികനില ഇന്നു ഗവണ്മെന്റിനു ഇല്ലാ. യുദ്ധത്തിന്റെ ഗതിയറിയാതെ കടമെടുക്കുന്നതു നല്ലതുമല്ലാ. കഴിഞ്ഞ മഹായുദ്ധത്തിനുശേഷം സാമ്പത്തികവിഷമങ്ങൾ വളരെ വർദ്ധിച്ചു. ഈ യുദ്ധത്തിനുശേഷവും സാമ്പത്തികവിഷമങ്ങൾ പൂർവാധികം വർദ്ധിക്കുവാൻ ഇടയുണ്ട്. അതുകൊണ്ടു തൽക്കാലം ഇതൊരു അടിയന്തിരപ്രമേയം ആക്കേണ്ട ആവശ്യം കാണുന്നില്ല. മി. ശിവതാണുപിള്ളയുടെ വാദസംഗ്രഹം ഇതാണ്.

MR. M. SIVATHANU PILLAI: ഞാൻ പറഞ്ഞതിനു അങ്ങിനെ അർത്ഥമില്ല.

MR. K. R. NARAYANAN: പറഞ്ഞതിൽ നിന്നും മനസ്സിലാകുവാൻ കഴിയുന്ന അർത്ഥം അതാണ്.

MR M. SIVATHANU PILLAI: അങ്ങിനെ മനസ്സിലാക്കുവാൻ എന്നെക്കൊണ്ടു സാധിക്കുകയില്ല.

MR. K. R. NARAYANAN: പറഞ്ഞതു്, പറഞ്ഞതുപോലെ മനസ്സിലാക്കിയതു ഒരു കുറ്റമാണെങ്കിൽ, അതു ഞാൻ അർഹിക്കുന്ന ഒരു കുറ്റം തന്നെയാണ്. മി. ശിവതാണുപിള്ളയുടെ പ്രസംഗം ഞാൻ മനസ്സിലാക്കിയതു്, മറ്റുള്ളവർക്കു മനസ്സിലാക്കുവാൻ കഴിയുന്നതും, ഞാൻ പറഞ്ഞമാതിരിയിലാണ്. ഒരു പ്രസംഗത്തിലെ ഒരു വാചകം മാത്രം മറ്റു വാചകങ്ങളോടു ബന്ധമില്ലാതെ നിറുത്തി അതാണു പ്രസംഗമെന്നു പറഞ്ഞാൽ പോരാ. മൊത്തത്തിലുള്ള പ്രസംഗത്തിന്റെ ഗതി, സ്വരം, ധ്വനി ഇതെല്ലാം പ്രസംഗത്തിന്റെ വസ്തുതകൾ കാണിക്കുന്ന പ്രധാന്യതലങ്ങൾ തന്നെയാണല്ലാ. പ്രസംഗത്തിനുശേഷം അങ്ങിനെ ഞാൻ പറഞ്ഞതിനു അർത്ഥമില്ലാ, ഇങ്ങിനെ ഞാൻ പറഞ്ഞതിനു അർത്ഥമില്ല, എന്നെല്ലാം പറയുന്നതു വെറും വാചകകസർത്തുകൾ മാത്രമാ

ക്കുന്നു. യുദ്ധം നിമിത്തം കടമെടുത്തു കടംകൊടുക്കുവാൻ ഗവൺമെൻറിന് വിഷമമുണ്ടെന്നു പറയേണ്ടതു ഗവൺമെൻറാണ്. അങ്ങിനെ ചെയ്യണമെന്നു ബില്ലിൽ നിർദ്ദേശമുള്ളതായിതോന്നുന്നില്ലാ. ഉണ്ടെങ്കിൽ തന്നെ ഗവൺമെൻറിനോടു കടം വാങ്ങാതെ ബില്ലുപാസ്സായാൽ കൊടുക്കുവാൻ കഴിയുന്ന പലരും ഇവിടെക്കാണും. അവരുടെ സാദ്ധ്യതകളുടച്ചു കളയുന്നതു് ഒരിക്കലും നല്ലതല്ലല്ലോ. യുദ്ധം നിമിത്തം ഗവൺമെൻറിനു കടമെടുക്കുവാൻ കഴിയുകയില്ലെന്നു പറയുന്നവാദവും ദുർബലമാണ്. തിരുവിതാംകൂറിലെ പട്ടണവാസികളേയും ഗ്രാമവാസികളേയും ഒന്നുപോലെ ബാധിക്കുന്ന ഈ ജീവൽപ്രശ്നത്തിനു പണം കടം എടുക്കുവാൻ കഴിയുകയില്ലെങ്കിൽ മറെറന്തുകാര്യത്തിനു പണം കടമെടുക്കുവാൻ കഴിയുമെന്നു ഞാൻ സഗൗരവം ചോദിച്ചുകൊള്ളുന്നു. പട്ടണപരിഷ്കാരപദ്ധതികൾക്കു കടമെടുക്കാമെങ്കിൽ, അതിനെക്കാൾ എത്രയോ അത്യാവശ്യമുള്ള ഈ കാര്യത്തിനു പണം കടമെടുത്തു സഹായിക്കുവാൻ ഗവൺമെൻറിനു കഴിയും. ഗവൺമെൻറിൻെറ ചുമതല ആദ്യം പറഞ്ഞതിനെക്കാൾ രണ്ടാമതു പറഞ്ഞതിനു കൂടുതലുമാകുന്നു. ഈ മഹായുദ്ധം കൂടികഴിഞ്ഞു അതിൻെറ സംഭവവികാസങ്ങൾ കൂടികണ്ടതിനു ശേഷമാകുന്നതു കൊള്ളാമെന്നുള്ള അഭിപ്രായം തികച്ചും അസ്വീകാര്യമാകുന്നു. ഒരു സ്ത്രീപ്രസവവേദനകൊണ്ടു് ജീവിതത്തിനും മരണത്തിനും മദ്ധ്യേകിടന്നു മരണവേദനകാണിക്കുമ്പോൾ, അടുത്ത വീട്ടിലെ ഗർഭിണിക്കുകൂടി പ്രസവവേദന വന്നിട്ടു് ശുശ്രൂഷയ്ക്കുപോയാൽ പെട്രോൾചാമിക്കാമല്ലോ എന്നു കരുതുന്ന ഡാക്ടറുടെ ഹൃദയകാഠിന്യം പോലെ ഇതും കർക്കശമായിരിക്കുന്നു —(ഹിയർ, ഹിയർ.) ഈ വിഷയത്തിൽ എന്തെങ്കിലും ഗവൺമെൻറു ചെയ്യുവാൻ കരുതുന്നുണ്ടെങ്കിൽ അതിനുള്ള അവസരം ഇതാണ — അനവസരത്തിലുള്ള സഹായം യാതൊരു ഉപകാരവും ഉണ്ടാക്കുകയില്ല. കടക്കാരുടെനുകത്തിൻെറ കീഴിൽ കിടന്നു ചക്രശ്വാസം വലിക്കുന്ന പാവങ്ങളുടെ നാമധേയത്തിൽ ഗവൺമെൻറിനോടു എനിക്കു ചെയ്യുവാനുള്ള അഭ്യർത്ഥന, നമ്പൂരിയുടെ ആടുവളർത്തിയ പുലയൻ, അവസാനം നമ്പൂതിരിയോടു പറഞ്ഞതുപോലെ കഥകൾ നിറുത്തുവാനിടയാക്കരുതെന്നാണ്. ആ കഥ തന്നെ ഞാൻ ഉദ്ധരിക്കാം. ഒരു നമ്പൂതിരിരണ്ടാടുകളെ ഒരു പുലയൻെറ പക്കൽ വളർത്തുവാൻകൊടുത്തു. പാവം പുലയൻ ഒന്നിനെ കൊന്നുതിന്നു ക്ഷുത്തടക്കി. ഒരു ദിവസം ആടുകളെ കൊണ്ടുവരുവാൻ തിരുമേനി കല്പിച്ചു പുലയൻ ശേഷിച്ച ഒരാടുമായിച്ചെന്നു തിരുമേനിചോദിച്ചു:—ഞാൻ രണ്ടാടല്ലേതന്നതു് മറെറവിടെ? പുലയൻെറ

[Mr. K. R. Narayanan.]

ഉത്തരം രണ്ടും ഇതുതന്നെയാണെന്നാണ്. വീണ്ടും ചോദ്യം തുടർന്നു. ചോദ്യത്തിന്റെ മുറുക്കത്താൽ പുലയൻ കുഴഞ്ഞു അവന്റെ വാദവും തീർന്നു. അപ്പോൾ അവൻ സങ്കടത്തോടുകൂടി പറഞ്ഞതു് "തീററിത്തീററിയതിന്റെ ജീവനൊരിടം പററി ഗുണാഢ്യപ്രഭോ" എന്നായിരുന്നു. അതുപോലെ തന്നെ ഋണനിവാരണ ബില്ലിന്റെ പേരിൽ "പോററി" "പോററി" ഞങ്ങളുടെയും ജീവനൊരിടം പററിക്കാതിരിക്കണമെന്നുള്ളതാണു എന്റെ വിനീതമായ അഭ്യർത്ഥന. പുലയൻ "ഗുണാഢ്യ"നായ നാമ്പൂതിരിയോടു പറഞ്ഞതു്, ഞാൻ "ഗുണാഢ്യ"നായ നമ്മുടെ ഭരണമേധാവിയോടാവർത്തിക്കുന്നു. കടക്കാർക്കു രക്ഷയ്ക്കു എന്തെങ്കിലും ചെയ്യുവാനുണ്ടോ അതു ചെയ്യണം. അവർക്കു രക്ഷാവ്യവസ്ഥകൾ ബില്ലിൽ ധാരാളമുണ്ടെന്നു പറയുന്നതു കടലാസ്സിലെ കല്പവൃക്ഷത്തിനു തണലുണ്ടെന്നു പറയുന്നതുപോലെയാണ്. നാട്ടുകാരെല്ലാവരും നിർന്നിമേഷരായി നോക്കിക്കൊണ്ടിരിക്കുന്ന ഈ പ്രശ്നം അതർഹിക്കുന്ന ഗൗരവത്തോടും, അനുഭാവത്തോടും കൂടി വീക്ഷിക്കുവാൻ ഗവണ്മെന്റിനോടു അഭ്യർത്ഥിച്ചുകൊണ്ടു് ഒരിക്കൽകൂടി ഞാൻ ഈ പ്രമേയത്തോടു അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. M. SIVATHANU PILLAI: The member has awfully misunderstood me. Sir, I may be permitted to explain ....

PRESIDENT: Order, order. I find that there is a great deal of exhibition of a tendency to put questions and to raise points of order, which do not arise. Honourable members having had their say must allow other honourable members to attack them. If there is any question of personal explanation it is the duty of the Chair to give full scope for that.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, it is very much to be regretted that honourable members have chosen not to understand the view point of Government. Last time, when this House met the President undertook to see that the matter would be disposed of as expeditiously as possible and that in the shortest possible time a bill, in whatever form, approved of by Government would be brought forward for the consideration of the House. Every step was taken for that purpose. A committee was constituted, it was asked repeatedly to carry on its deliberations; the report was expedited and the final copy was printed and published and made available to the public and to the officers on the 25th Dhanu 1115. Scarcely one month has elapsed and during this period Government were not idle. Meetings of the representatives of the public were summoned, conferences were held, and important matters on the question were discussed.

The publication of the report had attracted much criticism, some from the creditors and some from the debtors. Government have not

been able to come to definite conclusions with regard to some of the important points involved in this bill; and that, I may frankly concede has been the main reason for the delay in introducing this bill. As was pointed out by the Dewan-President is it enough to scale down the debts of the debtors without seeing that the creditors are enabled to realise if not the whole at least a portion of the debts so scaled down?

As the arbitrator of the claims of the creditors and the claims of the debtors, the Government are faced with this very serious problem.

MR. PADIYARA JOSEPH KUNJU: ഇതൊന്നും ആലോചിക്കാതെയാണോ ഈ യോഗത്തിന്റെ ആദ്യത്തെ അജൻഡായിൽ ഈ ബില്ല ഉൾപ്പെടുത്തിയിരുന്നതു് ?

MR. PUTHUPALLY S. KRISHNA PILLAI: The agenda was published immediately this House was summoned and the fact that the agenda contained the introduction of this Bill as one of the items of business shows how earnest Government were and how Government hoped that they would be able to introduce it in this session itself.

MR. PADIYARA JOSEPH KUNJU: വാഗ്ദാനംകൊണ്ടു് പ്രയോജനമില്ലെന്നും അതു പ്രവൃത്തിപഥത്തിൽ കൊണ്ടുവരികയാണു വേണ്ടതെന്നും അറിയാമോ ?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I am quite sure that Mr. Joseph Kunju will be the first to thank Government when the Bill is introduced. Probably, he is anxious to have it expedited.

MR. PADIYARA JOSEPH KUNJU: അതു ഏതു ശതാബ്ദത്തിലായിരിക്കുമെന്നു പറയുവാൻ ദയവുണ്ടാകുമോ?

MR. PUTHUPALLY S. KRISHNA PILLAI: I don't care to answer such questions. Sir, I may be permitted to proceed with the point which I was trying to stress.

MR. PADIYARA JOSEPH KUNJU: Sir, on a point of order. ഒരു അഫീഷ്യൽ മെമ്പർ "I don't care to answer" എന്നു ധിക്കാരമായി പറയുന്നതു ശരിയാണോ?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, the member asked the question "ഏതു ശതാബ്ദത്തിലാണു"?

PRESIDENT: Order, order. Both the question and the answer were improper (*Laughter*). The questioner, when he referred to "*Sathabdom*" presumably meant to convey that, as it is now 1940, sixty-one years have to elapse before this Bill could come into law. That is a mode of insinuation which should be deprecated in dealing with matters of a serious nature in a debate of this kind. At the same time, the honourable the Legal Remembrancer, knowing as he must do that honourable members are apt to loose their patience on certain occasions,—either loose or appear to do so—ought to know that he could not answer in the same coin. Anyhow, I hope that both the people will bury their hatchets and withdraw their statements.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I withdraw my words.

PRESIDENT: And Mr. Joseph Kunju will also do so.

MR. PADIYARA JOSEPH KUNJU: Yes, Sir, I withdraw.

MR. PUTHUPALLI S. KRISHNA PILLAI: The preliminary agenda had to be issued in time and it was hoped that the Bill could be put into shape before the commencement of the session and in time for publication in the Gazette. But when this Bill was put into shape the question arose as to whether it is enough to pass the Bill into law and leave the debtors and creditors to the mercy of each other. Any measure which does not take into consideration the possibility of meeting the demands of the creditors as well would be a failure. As an instance, I may point out the series of debt relief measures adopted in British India. The Bombay Debt Relief Bill contains a clause directing Government or imposing a responsibility on Government to raise loans for the purpose of meeting the debts scaled down under the Act. The Madras Act evidently has not thought of it or is probably trying to make the best of it through their Land Mortgage Banks.

MR. P. NARAYANA PILLAI: If the Bill is passed as proposed by the Committee, is there not any scope for mutual adjustment between the parties?

MR. PUTHUPALLY S. KRISHNA PILLAI; Sir, if it is a matter of adjustment, it is a matter which can be done even under the existing conditions. The main question is, to what extent compulsion may be resorted to? A Government measure is not necessary for the purpose of mutual adjustment. It is not to be hoped that the debts in Travancore are such as can be discharged by book adjustments. When by statute you deny to a man what in law he is entitled to, that man must have some compensation at least by the return of the balance which you concede is due to him. We have not been able to take advantage of the existing legal provisions of law owing to the absence of proper financing agencies. That, Government believe is one of the most important reasons for the failure of the existing Act. That is a matter to which attention has to be drawn by Government. In the recommendations of the Committee also, they have given due prominence to this aspect. In the conferences that were subsequently held and, in the representations that have been received subsequently, the point has been stressed that there must be some guarantee that the scaled down debts would be paid.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the honourable Legal Remembrancer whether the representative of the Credit Bank was also present at the time of the deliberations of the Committee?

MR. PUTHUPALLY S. KRISHNA PILLAI: Yes, Sir, he was

MR. PULIYOOR T. P. VELAYUDHAN PILLAI. Sir, May I know, whether that representative has made a clear statement that the Credit Bank is in a position to supply the necessary funds to satisfy......

PRESIDENT: The Credit Bank with a total asset of Rs. 20 lakhs to finance the scheme requiring 8 crores! Is that the idea?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, my question was whether the representative of the Credit Bank has made such a definite statement. Whether the statement is capable of materialisation or not, is not my concern.

PRESIDENT: We have heard of what may be called Rosicrucian methods of making gold out of air, but, how can the Credit Bank, under any possibility, finance things of this kind. They have no power. They have only 20 lakhs under their control. I don't think it possible for the Credit Bank to help the Debt Relief Scheme, unless Government come to their rescue and ask them to guarantee with debenture bonds. The representative of the Credit Bank might have said something unguaranteed.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, it might be a rumour.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The honourable member cannot say that it was a rumour.

PRESIDENT Was it a fact?

MR. PUTHUPALLY S. KRISHNA PILLAI: No, Sir, I am not able to say whether it is correct. The Report does not contain any statement to that effect.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, my question was whether he was also present at the time when the representative made such a statement?

MR. PUTHUPALLY S. KRISHNA PILLAI: I am not able to remember.

PRESIDENT: Yes, you may proceed.

MR. PUTHUPALLY S. KRISHNA PILLAI: It was stressed by several representatives of the public that before this Bill was introduced, Government must make up their minds as to the best means of helping payment of the scaled down debt. Government are considering whether without directly and definitely undertaking the responsibility for financing the scheme, it would be proper to push on with the introduction of the Bill. I am putting the question definitely to the honourable members. It would appear from the Committee's Report previously submitted to Government and from the Devadhar Committee that the total debt comes nearly to 30 crores of rupees.

MR. PADIYARA JOSEPH KUNJU: Sir, on a point or order. ലീഗൽ റിമെമ്പ്രൻസരുടെ പ്രസംഗത്തിൻെറ മാതൃക കേട്ടാൽ ഇവിടെ ഒരു ബിൽ ഹാജരാക്കിയിട്ടുണ്ടെന്നും അതിനെ അടിസ്ഥാനമാക്കിയാണ് പ്രസംഗിക്കുന്നതെന്നും തോന്നി പോകുന്നു. ഈ ബില്ലിനെപ്പററി കഴിഞ്ഞ തവണ പറഞ്ഞപ്പോൾ ഗവണ്മെൻറിൽനിന്നും ഒരു കമ്മററിയെ ഏർപ്പെടുത്താമെന്നും സ്പെഷ്യൽ മീററിംഗ് തന്നെ വിളിച്ചുകൂട്ടി ഇതാലോചിക്കാമെന്നും പറഞ്ഞു.

MR. C. V. CHANDRASEKHARAN: On a point of order, Sir. He is making a speech; not asking a question.

PRESIDENT: This point of order arising out of another point of order has to be upheld because he is making a speech. (*Laughter.*)

MR. KANNANTHODATH JANARDANAN NAIR: I move that the question may be put to vote.

PRESIDENT: How can you do it at the middle of the speech?

MR. PUTHUPALLY S. KRISHNA PILLAI: I put the question definitely to the honourable members whether they are satisfied with a bare Act declaring that so much of the debts are discharged, or whether they want the Government to consider the question whether when the debts are scaled down, agencies to finance the debtors should be established or other measures taken for the purpose of financing the liquidation of such scaled down debts. If the members are in favour of the first proposition, that is whether the debts are liquidated or not, whether there is any financing agency for the purpose of liquidating the debts or not we must have an Act; if this is their view, let us scale down the debts, let us ruthlessly cut them down, and not care for what happens. But Government cannot be a willing party to any such measure. If this is the honourable members' position, they may vote in favour of the adjournment motion. But, if on the other hand, they would patiently and dispassionately consider the position of Government and take the question more seriously, I would urge them to consider one aspect. It will be necessary that if this Bill is passed into law or if any debt relief measure with an element of compulsion is undertaken, there must be some machinery devised by Government or some methods undertaken by Government whereby, if not the whole, at least some portion of the liquidated debt could be paid off. If that is so, honourable members are fully aware that Government resources are not sufficient enough to advance the necessary funds for the purpose. It can be done only by borrowing or by the issue of debentures. Honourable members should consider whether this State should undertake the liability or the responsibility of taking on hand so much of the indebtedness in the State. That is a question which will be put definitely to the honourable members tomorrow when the report is presented to the honourable members for their consideration.

The other questions arising under the Bill, the controversies that range round the various details of the Bill, are, in my humble opinion, insignificant. They are matters which could be adjusted, they are matters which could be discussed or about which Government themselves may take up the responsibility for decision. Probably honourable members may be in a position to put forward their amendments at the proper time. The more serious thing is whether the Government should take upon themselves the burden of indebtedness in the State.

MR. P. S. MUHAMED: ആ റെസ്പാൺസബിലിറ്റി മനസ്സിലാക്കി ഒരു ബിൽകൊണ്ടു വരുവാൻ എന്തു സമയം വേണ്ടിവരും?

MR. PUTHUPALLY S. KRISHNA PILLAI: My own impression is that within a month and a half or at the most within a couple of months the question can be decided or some proper solution can be found out. I am only making the largest estimate possible, because otherwise honourable members may say "You put it at 30 days; now it is 31 days. Therefore it is wrong" and all that. In order that I may be on the safe side, I have put it at as long a period as possible.

Tomorrow when the report comes up for discussion honourable members will be called upon to answer this very serious question whether the State should undertake the indebtedness of the indebted people in the State. Honourable members will get an opportunity for discussing the details of the Bill, the controversial points in the Bill, when it is presented to them to-morrow. But so far as the report is concerned, the fundamental question for decision is whether we want only an Act and leave things to themselves or whether you want Government to have some responsibility in the matter of financing or finding funds for the purpose of liquidating scaled down debts.

MR. M. R. NARAYANA PILLAI: Suppose suitable amendments are made in the Bill to enable the debtors to make payments.

MR. PUTHUPALLY S. KRISHNA PILLAI: For that no provision is necessary. Why should the legislature command that he shall pay or shall not pay, or that every debtor who is able to pay may pay? If every debtor is able to pay, even under the existing system, will it not be possible for him to pay without the intervention of the legislature?

MR. K. DOMINIC JOSEPH: Does the Bill, as contemplated, propose any such liability to be cast upon Government?

MR. PUTHUPALLY S. KRISHNA PILLAI: No. No statutory obligation is sought to be cast on Government. Government want to ascertain whether it is the intention of the House that Government should undertake any responsibility in the matter or whether the House wants merely an Act.

MR. M. R. NARAYANA PILLAI: Does the honourable member mean that the debtors should be deprived of what little property they have left to them so that they can never get away from the burden of debt?

MR. PUTHUPALLY S. KRISHNA PILLAI: I am coming to that presently. As I was saying, the problem was one which Government could not solve on the spur of the moment. It is a matter which will involve Government for generations to come. It is a matter which, if adopted or accepted to the full extent, would involve Government in crores. It is a matter which requires some time for consideration.

MR. KOTTALIL P. ABRAHAM: May I know the reason for the delay?

MR. PUTHUPALLY S. KRISHNA PILLAI : Government thought that they would be able to solve the problem but it assumes greater importance as days advance. Government tried to ascertain what exactly may be required to pay off at least a portion of the scaled down debts. Honourable members may remember that the existing decree debts come to over 8 crores of rupees. How much can it come to if it is scaled down? It cannot be less than Rs. 4 crores. Will it be possible for Government to pay at least a portion of the scaled down debts—say, a crore of rupees? That is the question which Government have to consider. If the honourable members think that they want only an Act, then it will be very easy. There are the bills by Mr. Padiyara Joseph Kunju and Mr. Joseph Vithayathil which have not been withdrawn. Probably they will be entitled to push on with those bills.

MR. M. SIVATHANU PILLAI : May I know whether the Committee were asked to send up a simple report.

MR. PUTHUPALLY S. KRISHNA PILLAI : That matter also came up for discussion before the Committee. Even though no direction was given to the Committee, it was stated by the Dewan-President that the Committee are being requested to send up a draft bill so that without any loss of time that Bill itself may be introduced in the Assembly. It was as a mark of respect that the members of the Committee thought it desirable that their recommendations may be put in Bill form. That does not mean that Government are bound to accept the provisions contained in the Bill. As representing Government I may say that certain changes will have to be made in the Bill before it can be sponsored by Government. The Committee have not taken any other responsibility in the matter nor do Government stand committed to the acceptance of the Bill in the form in which it is presented by the Committee.

There is only one more point which I would like to answer. It was suggested that execution sales are being pushed on with and that orders staying execution sales may be directed to be issued.

PRESIDENT : I greatly appreciate the compliment paid to the Travancore courts with regard to speedy execution proceedings.

MR. PUTHUPALLY S. KRISHNA PILLAI : I may draw the attention of the House to the fact that there is still in force a circular which was issued at the instance of several honourable members of this House. Execution is being put off as a result of a standing circular issued by the High Court with the sanction of Government in 1111, which was being extended from time to time. That circular is No. 1 of 1111, which, it was suggested should be abrogated. But Government said that it should not be and that the spirit of the circular must be given effect to in appropriate cases, so much so that even today debtors are not without legal protection. They are not left entirely at the mercy of the creditors. In the case of incorrigible debtors, however, whose sole business is to ask for postponement of sale and to create obstacles in the way of execution, the court may not be in a position to afford any relief.

MR. M SIVATHANU PILLAI: Are there such debtors ?

MR. PUTHUPALLY S. KRISHNA PILLAI: Yes, there are very bad debtors as there are very good debtors also. The number may probably be greater in the former than in the latter. In the Bill itself, if it happens to be accepted by Government, there is a provision for setting aside any sale of immovable property effected after 1st Karkadakam 1114.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is not that provision conditional ? Is it not for setting aside sales effected after 1-12-1114 ?

MR. PUTHUPALLY S. KRISHNA PILLAI If the amount scaled down in the prescribed manner will not exceed the amount for which the sale has been effected and if there is nothing to be scaled down, the Committee have stated that it is unjust to reopen the sale. What is being asked is that in anticipation of the passing of the Bill all sales should be stopped. This Government are not in a position to agree to.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: On account of the existence of the present economic depression is there not the possibility of the properties being sold for inadequate prices?

MR. PUTHUPALLY S. KRISHNA PILLAI: Whether the properties have been sold for an adequate price or whether they have been sold for an inadequate price, if a debtor is entitled to the benefits of the provisions of the Act, the sale will be set aside, the decree will be reopened and debt will be settled on the basis of the provisions of the Bill. The honourable member's view is that every debtor should be entitled to some benefit under this Act. But there are a large number of debtors whom no law can save. The draft Bill proposed by the Committee contains adequate provisions but I do not propose now to discuss the details of the Bill.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: In regard to sales effected after 1-12-1114, is there any provision in the proposed Bill to cancel them where the amounts have been ratably distributed under Section 59 of the Civil Procedure Code ?

MR. PUTHUPALLY S. KRISHNA PILLAI: We are going rather too much into details. Such sales will not be set aside. But is it the case that such cases are many ? As a matter of fact, no creditor purchases the property of the debtor after depositing the purchase amount. If at all a sale takes place, it is only by adjustment towards the decree amount. I would request the mover to withdraw the motion.

MR. M. R. NARAYANA PILLAI: I press the motion.

The question was put and the motion was declared carried.

The House adjourned at 5-15 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS

of

THE TRAVANCORE SRI MULAM ASSEMBLY

SECOND ASSEMBLY.

SIXTH SESSION—1940/1115.

Wednesday the 24th January, 1940/11th Makaram, 1115.

The Assembly met in the Legislative Chamber at eleven of the clock with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., the Dewan-President in the Chair.

NEW MEMBERS.

The following members took the oath and signed the Rolls :-

1. Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector General of Police*)
2. Vaidyasastrakusala Dr. (Mrs.) M. Poonnen Lukose (*Surgeon General*)
3. Mr. M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner*) and
4. Mr. P. Raman Pillai (*Conservator of Forests*).

QUESTIONS AND ANSWERS.

Indian Institute of Science.

51 *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Kartigapalli*) : Will the Government be pleased to state :

(*a*) whether any amount has been paid to the Indian Institute of Science ; and

(*b*) if the answer is in the affirmative, the amount so paid ?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*) :

(*a*) Yes, in previous years, that is from the year 1932 to 1937.

(*b*) An annual grant of Bh. Rs. 3,000.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether after the year 1937, the practice has been stopped ?

MR. M. K. NILAKANTA AIYAR : Yes.

MR. KANNANTHODATH JANARDANAN NAIR : May I know the reason for the same ?

MR. M. K. NILAKANTA AIYAR : Because there is a Research Department attached to our University.

G. P. T. 2001. 350—18-8-15.

Text Books published by Government.

52. ***MR. KANNANTHODATH JANARDANAN NAIR** : Will the Government be pleased to state :

(*a*) the number of text-books published by Government for the use of students ;

(*b*) the total cost the Government had to bear in publishing them ;

(*c*) the selling price for each copy of each book ;

(*d*) the total number of books sold ; and

(*e*) the amount of money realised thereby ?

MR. M. K. NILAKANTA AIYAR : It is not possible to furnish an answer to the question, as the period for which the information is required has not been specified by the member.

Permission to run a bus.

53. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*) : Will the Government be pleased to state whether it is permissible to run a bus after its 'G' permit has been forwarded to the Office of the Inspector General of Police and before it is returned ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : A bus will not be permitted to run after the 'G' permit has been sent to the Inspector General's Office for renewal after the due date.

MR. P. KUNJUKRISHNAN (*Quilon* cum *Kottarakara*) : Am I to understand from the answer given by the Inspector General of Police that if the 'G' Permit is sent before the due date, then the bus will be permitted to run ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : Yes, provided due proof is given that the application for the renewal was made in time.

Transfer of the Police Inspector, Quilon Town.

54. ***MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad* cum *Parur*) : Will the Government be pleased to state :

(*a*) whether the Town Police Inspector, Quilon, was transferred during Karkatakam 1114 ; and

(*b*) if so, the reason therefor ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : (*a*) Yes.
(*b*) In the exigencies of service.

MR. K. P. KOCHUKORA THARAKAN : കൊല്ലം ഇൻസ്പെക്ടരെ മാററാനുണ്ടായ പ്രത്യേക കാരണം എന്താണെന്നു പറയാമോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : The reasons are confidential.

MR KANNANTHODATH JANARDANAN NAIR : May I know whether these officers get their T. A. for their transfers ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : Yes, if they are transferred in Government interest.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether it is not a loss to Government to effect such frequent transfers?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Yes, it may be, but, if they are transferred at their request then they are not given T. A.

MR. K. P. KOCHUKORA THARAKAN: കൊല്ലം ഔട്ട്പോസ്ററിൽ പല അഴിമതികളും നടന്നു വരുന്നു എന്നുള്ള വിവരം അറിയാമോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: There was a tussle in the Police Station.

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnathur*): May I know whether any official enquiry was made?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Yes.

MR. P. NARAYANA PILLAI: May I know the result of the enquiry?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Disciplinary action was taken against those who were found fault.

House allowance to Rangers.

55. * **MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state whether house-allowance is being given to Rangers of the Forest Department?

MR. P. RAMAN PILALI (*Conservator of Forests*): No.

Boundaries of the Kottappara Reserve.

56. * **MR. KOTTALIL P. ABRAHAM** (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether the boundaries of the Kottappara Reserve are finally fixed by the Government;

(*b*) whether such boundaries are settled at the spots by the Surveyors of the Forest Department or by the Surveyors of the Revenue Department or by both those Departments jointly; and

(*c*) whether for those boundaries different Surveyors have prepared sketches differing from one another?

MR. P. RAMAN PILLAI: (*a*) Yes.

(*b*) No: the boundaries are not settled by Surveyors.

(*c*) No.

MR. KOTTALIL P. ABRAHAM: May I know by whom the boundaries are settled?

MR. P. RAMAN PILLAI: The boundaries are settled by the Forest Settlement Officer.

Lepers treated in the Chirayinkil District Hospital.

57. * **MR. VARKALA K. MADHAVAN** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state the number of lepers treated as out-patients in the Chirayinkil District Hospital in 1113 and 1114 respectively?

VAIDYASASTRAKUSALA DR. MRS. M. POONNEN LUKOSE:
In the year 1113—226, and
in the year 1114—194.

Specialist for the treatment of skin and venereal diseases.

58. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state whether there is any specialist among doctors in the General Hospital to treat skin and venereal diseases?

VAIDYASASTRAKUSALA DR. MRS. M. POONNEN LUKOSE: There is no specialist in the General Hospital to treat skin and venereal diseases.

MR. VARKALA K. MADHAVAN: May I know whether there is any specialist in the Medical Department?

VAIDYASASTRAKUSALA DR. MRS. M. POONNEN LUKOSE: No, not in the Medical Department. But most doctors in the Medical Department are sufficiently experienced in this line to treat such cases.

Training in Midwifery.

59. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state whether facilities are provided to Assistant Surgeons and Sub-Assistant Surgeons of either sex for training in midwifery in the Women and Children's Hospital?

VAIDYASASTRA KUSALA DR. MRS. M. POONNEN LUKOSE: Only the lady Assistant Surgeons and Sub-Assistant Surgeons posted to the Women and Children's Hospital, Trivandrum, get the training in midwifery.

Ladies in the Registration Department.

60. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to state the names of ladies who were in service in the Registration Department on 15-3-1115 in the order of seniority with their designation, caste, date of first appointment, qualification and pay with allowance, if any?

MR. M. K. NILAKANTA AIYAR: A statement* giving the requisite information is laid on the table.

Malayalam Higher Teachers.

61. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether representations have been received on or about Vrischikam 1105 from the Malayalam Higher Teachers employed in Malayalam Schools in the Education Department complaining against the policy of giving preferential treatment to graduates and E. S. L. C. teachers in the matter of promotions;

(*b*) if the answer to part (a) is in the affirmative, who are the teachers from whom such representations have been received; and

(*c*) whether any action has been taken on those representations?

MR. A. GOPALA MENON (*Director of Public Instruction*); (*a*) The information on the subject is not available at present.

(*b*) and (*c*). In view of the answer to part (*a*) these do not arise.

**Vide* Appendix No. I, page 179.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: May I know why the information on the subject is not available ?

MR. A. GOPALA MENON: Papers on the subject are not available and therefore the information cannot be furnished.

Use of Tarpaulin in service buses.

62. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) whether there is any direction or rule that motor buses permitted to ply for hire on the several roads in Travancore should have tarpaulin for protecting the goods, especially beddings etc., of passengers from intense heat, dust and rain; and

(*b*) if so, who conducts the inspections in that connection and the time of such inspection?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) Yes.

(*b*) By Police Officers during the six-monthly examinations and also at other times.

MR. K. P. KOCHUKORA THARAKAN: ബസ്സുകാർക്കു കൊടുത്തു വരുന്ന ടാർപ്ലിൻ വേണ്ടവിധം ഉപയോഗിക്കുന്നില്ലാ എന്നു വല്ല പരാതിയും കിട്ടിയിട്ടുണ്ടോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: No, Sir.

MR. P. KUNJUKRISHNAN (*Quilon cum Kottarakara*): With reference to answer to part (*b*), may I know the results of such inspections ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: There has been no complaint so far.

MR. P. KUNJUKRISHNAN: May I know whether the result of such inspections has been satisfactory in the department concerned ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: So far as this item is concerned, it has been satisfactory.

Issue of permits to run bus services.

63. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state :

(*a*) whether applications have been received from any person praying for the issue of permits to run bus services between Perumbavur and Kothamangalam and whether any person now conducting services on the said line has applied for permission to run additional buses or for additional timings so as to conduct additional trips ;

(*b*) if so, whether permission has been given as prayed for ;

(*c*) if not, the reasons therefor ; and

(*d*) whether the people of the locality have collectively and individually applied to the authorities concerned for giving permission to run more buses on the said line ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) Yes.

(*b*) Yes.

(*c*) Does not arise in view of the answer to part (*b*).

(*d*) Yes.

Urinals or latrines at bus-stands.

64. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state:

(*a*) whether any of the officers concerned have made enquiries till now in regard to the existence of urinals or latrines at bus-stands on lines along which private motor buses with licenses and permits are plying for sarvice and if so the result of such enquiry: and

(*b*) whether the aforesaid bus-stands are established with the permission of the Commissioner of Police and if so, whether the latter, while granting such permission, has issued instructions for the bus-stands being provided with urinals or latrines for the convenience of passengers?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) No.

(*b*) Bus stands are established with the permission of the Inspector General. No instructions have been issued regarding urinals or latrines.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from the member why instructions were not issued for the construction of urinals and latrines?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Because no occasion has arisen.

MR. K. P. KOCHUKORA THARAKAN: ബസ് സ്ററാൻഡുകൾ ഒരു സ്ഥലത്തുനിന്നും മറ്റൊരു സ്ഥലത്തേക്ക് മാററണമെന്ന് സാധാരണയായി പരാതി പറഞ്ഞു വരുന്നില്ലേ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Yes.

MR. K. P. KOCHUKORA THARAKAN: ഇങ്ങനെ ബസ് സ്റ്റാൻഡുകൾ മാററികിട്ടണമെന്ന് പരാതിപ്പെടുന്നത് സ്ഥലം ഉടമസ്ഥന്മാക്ക് അതിൽനിന്നും ആദായം കിട്ടുന്നതുകൊണ്ടല്ലേ ?

KHAN BAHADUR G. S ABDUL KARIM SAHIB SUHRAWARDY: Yes, Sir; in certain cases it is.

MR. K. P. KOCHUKORA THARAKAN: അങ്ങനെ ആദായം കിട്ടുന്നതുകൊണ്ട് യാത്രക്കാക്ക് സൗകര്യമായി ഇരിക്കുന്നതിനും മൂത്രമൊഴിക്കുന്നതിനും വേണ്ട സൗകര്യം ചെയ്തുകൊടുക്കാതെ അവരെ ബുദ്ധിമുട്ടിക്കുന്നത് ന്യായമാണെന്നു വിചാരിക്കുന്നുണ്ടോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: My own impression is that it will increase the nuisance.

MR. K. P. KOCHUKORA THARAKAN: കൂടുതൽ സൗകര്യം കിട്ടിയില്ലെങ്കിലും തരക്കേടില്ലായിരുന്നു. എന്നാൽ ഒരു സൗകര്യവും ഇല്ലാതിരിക്കുന്നത് വിഷമമാണെന്നു സമ്മതിക്കുമോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Does the honourable member mean that there should be one urinal in every bus stand?

MR. K. P. KOCHUKORA THARAKAN: ഓരോ ബസ്സ്റ്റാൻഡിലും അങ്ങിനെ വേണമെന്നാണ് ഞാൻ ആവശ്യപ്പെടുന്നത്. എന്റെ ചോദ്യവും അതാണ്.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: I do not think it is practicable.

MR. K. P. KOCHUKORATHARAKAN: യാത്രക്കാർക്ക് ഇരിക്കാനുള്ള സൗകര്യം ഏതെങ്കിലും ബസ്സ്റ്റാൻഡിൽ ഉണ്ടോ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: My own impression about the bus travelling public of Travancore is that they have commendable control over their natural calls.

MR. P. KUNJUKRISHNAN: May I know from the member where he has got this information from?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: I was able to gather this information because I have been travelling about noticing these things.

MR. K. P. KOCHUKORA THARAKAN: അതുകൊണ്ട് സുഖക്കേട് ഉണ്ടാകമെന്നുള്ള വിവരം അറിയാമോ?

PRESIDENT: The Inspector General need not discuss about medical or physiological matters.

It is indeed a very good idea to have latrines and urinals in every bus stand. But it is a matter of money and the department that has to be moved is not the Inspector General's department but some other department obviously.

Appointment of acting teachers in Government schools.

65. ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) whether in the appointment of acting teachers in short-time vacancies in Government Schools, any preference is given to persons of longer service; and

(*b*) if not, the reasons for the same?

MR. A. GOPALA MENON: (*a*) No.

(*b*) For short vacancies of less than a month persons who are immediately available can alone be appointed.

First Class Magistrate's Court at Kayamkulam.

66. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether they have received any representations from the people of Kayamkulam and the neighbouring places for the establishment of a First Class Magistrate's Court at Kayamkulam; and

(*b*) what action was taken on them?

MR. M. K. NILAKANTA AIYAR: (*a*) The answer is in the negative.
(*b*) This does not arise in view of the answer to part (*a*).

Applications for the assignment of tarisu land in the Ramamangalam pakuthi, Muvattupuzha taluk.

67. *MR. T. T. KESAVAN SASTRI (*Nominated*): Will the Government be pleased to state:

(*a*) whether applications have been submitted by members of the Pulaya Community for the assignment of five acres and fifty-six cents of *tarisu* land comprised in Survey No. 219/1, in the Ramamangalam pakuthi, Muvattupuzha taluk and

(*b*) if so, the action taken in respect of those applications?

MR. M. RAMACHANDRA RAO: (*a*) Yes.

(*b*) An extent of 54 cents only is available for registry in Survey No. 219/1. As a stranger has encroached upon the area, action is being taken to evict him in order that the land may be assigned to the applicants.

MR. T. T. KESAVAN SASTRI: ഈ സ്ഥലം മുന്നപേക്ഷക്കാരുടെ പേരിൽതന്നെ പതിച്ചുകൊടുക്കുന്നതിന് ദയവുണ്ടാകുമോ?

MR. M. RAMACHANDRA RAO: Certainly, Sir.

Pulayas in the taluks of Neyyattinkara and Trivandrum.

68. *MR. T. T. KESAVAN SASTRI: Will the Government be pleased to state the number of Pulayas in each of the taluks of Neyyattinkara and Trivandrum and the number among them who possess homesteads of their own?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor*):

Neyyattinkara taluk	...	29,444
Trivandrum taluk	...	18,290

No statistics are available with regard to the number of Pulayas who possess homesteads of their own.

Jungle lands of Koovakavu and Karikattur in the Manimala pakuthi, Changanacherry taluk.

69. *MR. T. T. KESAVAN SASTRI: Will the Government be pleased to state:

(*a*) whether the jungle lands of Koovakavu and Karikattur in the Manimala pakuthi, Changanacherry taluk, have been marked off from Reserve and placed under the control of the Revenue Department;

(*b*) if so, the total extent of those lands; and

(*c*) whether any portion thereof has been given on registry?

MR. M. RAMACHANDRA RAO: (*a*) Koovakavu, which is in the Karikkattur reserve in the Manimala pakuthi has been marked off from the Reserve and placed under the control of the Revenue Department;

(*b*) 8 acres and 6 cents;.

(*c*) 13½ cents have been assigned away on concessional terms.

MR. T. T. KESAVAN SASTRI: പതിമൂന്നര സെൻറു സ്ഥലം ആൎക്കോ പതിച്ചു കൊടുത്തിട്ടുള്ളതായി കാണുന്നുണ്ടു്. അതു് ആൎക്കാണെന്നു പറയാമോ?

MR. M. RAMACHANDRA RAO: I claim notice.

Burial ground in the Edayaranmula Muri, Tiruvalla taluk, for the Pulaya Community.

70. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(*a*) whether applications have been received for a burial ground in the Edayaranmula Muri, Arannmula pakuthi, Thiruvalla taluk, for the use of members of the Pulaya Community; and

(*b*) if so, the action taken thereon?

MR. C. V. CHANDRASEKHARAN: (*a*) Yes.

(*b*) A site has been sanctioned to be acquired for the purpose, and acquisition proceedings are pending investigation of the objections raised by the Devaswom Department and certain inhabitants of the place against opening a burial ground in the site chosen.

Application for a burial ground in the Kaviyoor pakuthi, Tiruvalla Taluk.

71. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(*a*) whether application has been submitted by the public for granting a burial ground in the Kaviyoor pakuthi, Tiruvalla taluk, for the use of the Pulayas; and

(*b*) if so, the action taken in respect of the application?

MR. C. V. CHANDRASEKHARAN: (*a*) Yes;

(*b*) Steps are in progress for the acquisition of a site for the purpose.

Candidates selected for the Male Nursing class.

72. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to lay on the table a statement, by caste, of the candidates selected for the Male Nursing class to be conducted under the auspices of the Medical Department?

VAIDYA SASTRA KUSALA DR. MRS. M. POONNEN LUKOSE: A *statement containing the information is placed on the table.

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*Vide Appendix No. II, page 181.

Site for a common institution for the Pulayas in Trivandrum.

73. *MR. T. T. KESAVAN SASTRI: Will the Government be pleased to state the final decision on the enquiry made by the Government in regard to the applications made for the free grant of a site for the opening of a common institution for the Pulayas in the town of Trivandrum?

MR. C. V. CHANDRASEKHARAN: No Government land is avilable for the purpose.

MR. T. T. KESAVAN SASTRI: ഈ ആവശ്യത്തിലേക്ക് കുറെ സ്ഥലം പൊന്നും വിലകൊടുത്തു എടുക്കണമെന്ന് ഗവണ്മെൻറിലേക്ക് ശുപാർശചെയ്യാമോ ?

MR. C. V. CHANDRASEKHARAN: It is a suggestion for future action. It will be considered.

Land Revenue Cases.

74. *MR. KOTTALIL P. ABRAHAM (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether they have issued any rule, circular or order directing the appellate authorities in Land Revenue cases or Regulation File cases not to stay, until the appellate decision, the recovery of amounts or eviction from property ordered by their subordinate authorities in such cases; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they will be pleased to lay on the table a copy of that rule, circular or order?

MR. M. RAMACHANDRA RAO: (*a*) Government have ordered that, in Poramboke appeals and revision petitions, stay of execution need be confined to the stay of the removal of encroachments only and not to the stay of realisation of fine etc.

(*b*) The member is referred to page 1355 of the Second Supplement to Vol. II, (Part II) of the Land Revenue Manual, which contains the above order.

MR. KOTTALIL P. ABRAHAM: With reference to answer to part (*a*), may I know from the member whether the Government will be pleased to reconsider the matter in view of the hardship caused to the people?

MR. M. RAMACHANDRA RAO: That matter will be considered if a sufficient number of petitions are received.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*): Do the appellate authorities also automatically reject stay applications because of the existence of this circular?

MR. M. RAMACHANDRA RAO: As long as there is a Government order we will have to obey it.

Remission of tax by Edappally Chief.

75. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state whether the Edapally Chief has allowed any remission of land tax in 1114?

MR. M. RAMACHANDRA RAO: No.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from the Government whether they have advised the Edappally Chief to give a remission of land tax for 1114?

MR. M. RAMACHANDRA RAO: There was no necessity for such an advice.

MR. KANNANTHODATH JANARDANAN NAIR: May I know why there was not such a necessity?

MR. M. RAMACHANDRA RAO: Because the subject did not come before Government.

MR. KANNANTHODATH JANARDANAN NAIR: Am I to understand from the member that the people of Edappally are not subjects of His Highness the Maharaja?

MR. M. RAMACHANDRA RAO: No. They must apply for remission to the Chief.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from the member whether Government are aware that the people of Edappally have complained to the Chief there, for a remission of tax for 1114?

MR. M. RAMACHANDRA RAO: I have no information.

Visit of Sri Sankaracharya Swamigal.

76. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) the date on which Sri Sankaracharya Swamigal arrived at Kaladi and began his residence there;

(*b*) whether any expenditure has been incurred by the Government on that account till the 30th Karkatakam 1114;

(*c*) if so, how much;

(*d*) whether he is a State Guest; and

(*e*) whether those who go to Kaladi to have a 'darsan' of Sri Sankaracharya Swamigal are fed at Government expense, and if so, the number of persons who are thus being fed every day?

MR. M. K. NILAKANTA AIYAR: (*a*) 6th Medom 1114.

(*b*) Yes.

(*c*) Rs. 15,523-4-9.

(*d*) Yes.

(*e*) Only *bonafide* pilgrims are fed. No account is kept of the number fed.

MR. K. P. KOCHUKORA THARAKAN: ശങ്കരാചാര്യർസ്വാമി അവർക
ൾക്ക് ഭക്ഷണത്തിനും മററുമായി· കുറെ പണം ചിലവായി എന്നു കാ

[Mr. K. P. Kochukora Tharakan]
ന്നുണ്ട് ഹിന്ദുസമുദായത്തിൽപ്പെട്ട ഏതംഗമായിരുന്നാലും അവർക്ക് ഭക്ഷണം കൊടുക്കുന്ന പതിവുണ്ടോ?

MR. M. K. NILAKANTA AIYAR: അദ്ദേഹം മഹാരാജാവുതിരുമനസ്സിലെ അതിഥിയായിരുന്നതുകൊണ്ട് ദർശനത്തിനു വരുന്നവർക്ക് ഏതാനും ദിവസത്തേക്കു ഭക്ഷണം കൊടുക്കും.

MR. K. P. KOCHUKORA THARAKAN: ഹിന്ദുസമുദായത്തിൽപ്പെട്ട ആരുവന്നാലും ഭക്ഷണം കൊടുക്കുമോ?

MR. M. K. NILAKANTA AIYAR: ഇല്ല. ദർശനത്തിനു വരുന്നവർക്കു മാത്രം.

Transport service on the Trivandrum-Kottayam line.

77 ✻**MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) whether the Transport Department proposes to start transport service immediately on the Trivandrum-Kottayam line;

(*b*) if so, when it is proposed to start the service:

(*c*) whether the proposed line from Trivandrum to Kottayam is through Quilon and Kottarakara or through Kottarakara direct; and

(*d*) whether it would be convenient for the passengers if the motor stand at Kottarakara is located near the Railway Station?

MR. K. SANKARAN (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) 30-3-1940.

(*c*) Direct through Kottarakara.

(*d*) It is a matter of opinion.

Supply of electric current to the residential quarters of Government servants in the High Ranges.

78. ✻**MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) whether electric current is being supplied to lights installed in the residential quarters of Government servants at Devicolam and Pallivasal in the High Ranges; and

(*b*) if so, from what date the supply began?

(*c*) will the Government be pleased to lay on the table a statement showing:

(i) the rate charged per unit when the supply of electric current was first started;

(ii) whether any minimum rate was fixed at that time;

(iii) if not, whether it has been fixed now; and

(iv) if so, what that minimum rate is; and

(*d*) will the Government be pleased to state whether there is any difference in the rate per unit of current supplied at Devicolam and at Pallivasal, and if so what that difference is?

MR. M. K. NILAKANTA AIYAR : (*a*) Yes.

(*b*) 12-2-1110 at Chithirapuram.
4-5-1114 at Devicolam.

(*c*) i. The rates charged by the Department at that time were as follows:
3 annas per unit at Devicolam.
2 annas per point at Chithirapuram.

ii. Yes, for private buildings and Government offices at Devicolam, but not for Government residential quarters.

iii. A minimum rate has since been fixed for all Government residential quarters throughout the State.

iv. Re. 1 As. 8 per month.

(*d*) Yes. The K. D. H. P. Company charges 6 pies per unit for energy supplied at Devicolam besides Rs. 322 per annum in lieu of interest and depreciation in addition to an initial expenditure of Rs. 800 towards labour charges for the erection of supply mains; and
4 pies per unit at Chithirapuram and also for all construction works at Munnar and Pallivasal.

Horse-allowance to Rangers in the Forest Department.

79. ***MR K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state whether horse allowance is being given to Rangers in the Forest Department?

MR. P. RAMAN PILLAI : No.

Complaint against the Police Officers re delay in the matter of the burial of a dead body.

80. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastiswaram*): Will the Government be pleased to state:

(*a*) whether the Inspector General of Police received a complaint in September 1939 from K. Narayanaperumal Nadar, M. L. A. and others of Eattamozhi in Neendakara (B) pakuthi, stating that the burial of the dead body of a person (death being caused by the fall from a tall tree) was delayed because of the carelessness of the Police Officers; and

(*b*) the action taken thereon?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) Yes.

(*b*) The matter was enquired into and the Police Officers responsible were suitably dealt with.

MR. K. NARAYANAPERUMAL NADAR : With reference to answer to part (*b*), may I know the name or designation of the officers concerned?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : I do not think it is right in the interests of the Police Force to name the officers concerned

MR. P. NARAYANA PILLAI : May I know whether that petition contained any reference to the activities of the State Congress ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : Yes. Mr. Nadar in his petition for enquiry into the case made the statement that at the present time the Police can discharge their normal duties to the best satisfaction of the people, because the activities of the State Congress are almost at an end. Coming, as this statement does, from a State congressite it is very encouraging and I endorse it.

Oodukoor Tenure.

81. ***MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(*a*) whether they received a report from the Special Officer appointed for the Oodukoor tenure; and

(*b*) whether any action has been taken on such report?

MR. M. RAMACHANDRA RAO : (*a*) Yes.

(*b*) The report is under the consideration of Government.

MR. K. NARAYANAPERUMAL NADAR : May I know the date of the submission of the Report ?

MR. M. RAMACHANDRA RAO : Somewhere about last year.

MR. K. NARAYANAPERUMAL NADAR : May I know the name of the Special Officer who prepared the Report ?

MR. M. RAMACHANDRA RAO : I think it was Mr. Sankaranarayana Pillai.

MR. K. NARAYANAPERUMAL NADAR : May I know whether the Report is published ?

MR. M. RAMACHANDRA RAO : No. It is confidential.

MR. K. NARAYANAPERUMAL NADAR : May I know why it is confidential ?

MR. M. RAMACHANDRA RAO : Till final orders are passed on the report, it is considered as confidential.

MR. K. NARAYANAPERUMAL NADAR : May I know the amount of money spent for preparing that report ?

MR. M. RAMACHANDRA RAO : I claim notice.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether there is any chance of introducing the Report in the Legislature ?

MR. M. RAMACHANDRA RAO : I cannot say that at present. Government are considering the matter.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : ഈ റിപ്പോർട്ടിലുള്ള വ്യവസ്ഥകളെ നടപ്പിൽ വരുത്തുന്നപക്ഷം തെക്കൻ തിരുവിതാംകൂറിലുള്ള ഊട്ടുകൂറു വസ്തുക്കൾ സംബന്ധമായ കേസുകൾക്ക പരിഹാരമുണ്ടാകുമെന്ന് ഗവണ്മെൻറിന് അറിയാമോ ?

MR. M. RAMACHANDRA RAO : Yes, Government are considering the matter.

Sirkar tank bed in survey number 4560 in Neendakara (A) pakuthy.

82. *MR. K. NARAYANAPERUMAL NADAR : Will the Government be pleased to state :

(a) whether it has been brought to the notice of the Government that the Sirkar tank bed in survey number 4560 in Neendakara (A) pakuthi in Agastisvaram taluk is irrigated by private persons; and

(b) whether there is any special reason for irrigating that tank bed?

MR. M. RAMACHANDRA RAO : (a) Survey No. 4560 in the Neendakara (A) Division pakuthi, Agastisvaram taluk, is not poramboke;

(b) This does not arise in view of the answer to part (a).

Registry of land from the Southern Forest Division.

83. *MR. K. NARAYANAPERUMAL NADAR : Will the Government be pleased to state ;

(a) whether any land from the Southern Forest Division was, in 1113 or 1114, registered in the name of a private person ;

(b) if the answer to part (a) is in the affirmative, the area of the land registered ; and

(c) the name of the person to whom the land is registered ?

MR. P. RAMAN PILLAI : (a) No.

(b) & (c) These do not arise in view of the answer to (a).

Transfer of Messrs. Gangadhara Menon and John Philipose from the Nagercoil Civil Jail to Alleppey sub-jail.

84. *MR. K. NARAYANAPERUMAL NADAR : Will the Government be pleased to state whether Mr. Gangadhara Menon, B. A., B. L, and John Philipose, Ex-M. L. A., were transferred from the Nagercoil Civil Jail to Alleppey Sub-Jail during the last week of November 1939 ?

MR. M. K. NILAKANTA AIYAR : Yes.

MR. K. NARAYANAPERUMAL NADAR : May I know why Messrs. Gangadhara Menon and John Philipose were transferred from the Nagercoil Civil Jail to Alleppey Sub-Jail ?

MR. M. K. NILAKANTA AIYAR : Because they gave trouble to the Government.

MR. K. NARAYANAPERUMAL NADAR : May I know the nature of the trouble they gave to Government?

MR. M. K. NILAKANTA AIYAR : I shall briefly explain what has happened. At the time when these people were sent to the Nagercoil Civil Jail, instructions were issued that they should be treated as under-trial prisoners. Over and above that, special instructions had been given to supply them with the food they require, unobjectionable books and newspapers. As regards catering, the arrangements were that they should be given *Kanji, payar* and *chutney* in the morning and two meals with buttermilk, curries, chutney etc.

PRESIDENT : Did they not complain about mutton ?

MR. M. K. NILAKANTA AIYAR : Yes, Sir. I am coming to that.

[Mr. M. K. Nilakanta Aiyar.]

After they got this they began to complain about want of mutton. Mutton was then ordered to be given to them. They then wanted books and newspapers. Books and newspapers were allowed. They then demanded shaving sets. They were given shaving sets. Then they wanted *Uppunavu* or *Iddali*, and coffee. They were supplied with these also. Having got all these, they demanded hot water for bath. That was made available to them. In spite of all these compliances with their demands they continued to give trouble by conspiring amongst themselves. So Government thought that it was not desirable to keep them together.

MR. K. NARAYANAPERUMAL NADAR: May I know whether they were ever transferred and put in the Alleppey Police lock-up?

MR. M. K. NILAKANTA AIYAR: They were transferred to Alleppey sub-jail.

MR. M. SIVATHANU PILLAI (*Tovala cum Agastisvaram*): May I know whether these things are allowed to ordinary undertrial prisoners?

MR. M. K. NILAKANTA AIYAR: No, Sir.

MR. M. SIVATHANU PILLAI: Then what were the special reasons which weighed with Government for granting them these luxuries?

MR. M. K. NILAKANTA AIYAR: They were not considered as ordinary prisoners. Being detenues they were given such conveniences and facilities to satisfy their needs.

MR. M. SIVATHANU PILLAI: Was it as the result of false threats that they would go to fast if such conveniences were not granted?

MR. M. K. NILAKANTA AIYAR: To some extent the member is correct.

MR. M. SIVATHANU PILLAI. To what extent is it correct? What is the nature of the method adopted by them to get the demands allowed? Let me have an idea of it?

MR. M. K. NILAKANTA AIYAR: The Government thought it proper and reasonable to comply with their reasonable requests. They went on satisfying their demands one by one but subsequently when they found the demands unreasonable they had to say 'no. The men then resorted to hunger strike.

MR. M. SIVATHANU PILLAI: May I know whether these prisoners are not using very very abusive languages with the officers who visit them?

MR. M. K. NILAKANTA AIYAR: Yes, Sir, they do so.

MR. M. SIVATHANU PILLAI: May I know whether the honourable member is not aware that they abuse even the non-officials who visit them?

MR. M. K. NILAKANTA AIYAR: Yes, Sir, I am aware.

MR. M. SIVATHANU PILLAI: Are they given the conveniences even now?

MR. M. K. NILAKANTA AIYAR: Yes.

MR. M. SIVATHANU PILLAI: Do they not make complaints yet?

MR. M. K. NILAKANTA AIYAR: There are no complaints now.

MR. M. SIVATHANU PILLAI: May I know the expenditure met by Government on this account?

MR. M. K. NILAKANTA AIYAR: On an average half a rupee a day per head.

MR. M. SIVATHANU PILLAI: May I know whether it is a fact that special arrangements are made with regard to their catering by appointing a cook?

MR. M. K. NILAKANTA AIYAR: Yes, Sir, in some places.

MR. M. SIVATHANU PILLAI: What is the special reason for the Government to do all these things for them? Is it because the Government are weak?

MR. M. K. NILAKANTA AIYAR: That is a matter of opinion. The Government were of the view that better sense will prevail in the end.

PRESIDENT: I do not think further questions are called for on this subject. These gentlemen were proceeded against under the provision contained in the Defence of Travancore and connected Rules. The ordinary rules regarding prisoners are not strictly applicable in this case. These gentlemen made certain applications to the effect that they should be treated as what is called political prisoners. But there was no such classification as political prisoners under the law here; but having regard to the fact that ordinary jail rules are inapplicable to detenues and having regard to the fact that they were taken to be Satyagrahis, a certain amount of consideration was shown to them. One of the rules of Satyagraha, as expounded by its originator, is that no Satyagrahi should complain about treatment in jails. But these people were continuously making unfounded complaints, and they threatened hunger strike more than once. In order to get rid of the possibility of complaints and to see exactly how far the Satyagrahis would go on with their complaints, changes of clothing, which were not within the rules and fresh mattresses were given to them. They demanded mutton which was given to them though under the ordinary rules it need not be given; they demanded also, coffee *Iddali* or *Uppumavu* instead of *Kanji*. Then they began to complain that the climate of Nagercoil did not suit them. Though other people who lived in Nagercoil were not suffering from any complaints they complained and began to smuggle letters outside indirectly that their health suffered by reason of their treatment. The juxtaposition of the Satyagrahi prisoners who behaved in this manner was thought to be not desirable and so Government considered it necessary to have a division of these persons.

MR. M. SIVATHANU PILLAI: In view of the proximity of the civil jail to the Municipal Office, may I know whether they could not be removed to some other place?

PRESIDENT: It is a matter of future policy.

Maintenance of roads by the Transport Department.

85. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state:

(a) whether the Transport Department has undertaken the maintenance of any of the roads now used by that Department for conducting bus service;

(b) if so, the names of such roads and the extent thereof;

(c) if such maintenance is undertaken, whether any amount is or was given by the Transport Department to the P. W. Department as contribution for the maintenance of those roads which are exclusively used for the service of the Transport buses, and if any such amount has been given what that amount is and when it was given; and

(d) the names of the roads which are now used exclusively for bus traffic by the Transport Department and the amount spent during 1114 for the maintenance of each of those roads?

MR. K. SANKARAN: (a) No.

(b) & (c) Do not arise.

(d) None.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the Transport Department has nothing to do with the maintenance of the roads?

MR. K. SANKARAN: All the roads are maintained by Government.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether Government have not given a definite promise that the roads used by the Transport buses will be maintained by the Transport Department?

MR. K. SANKARAN: The Transport Department is making a contribution for the maintenance of roads, by way of toll fees paid in respect of the buses run by the department.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the amount of tolls collected is quite sufficient to maintain those roads?

MR. K. SANKARAN: I do not think that it will be sufficient.

Power of the Manager of a private school to reduce the pay of teachers.

86. *MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertala*): Will the Government be pleased to state:

(a) whether the Manager of a private school is competent to reduce the pay of a teacher holding a permanent post in that school, without the consent of the teacher and without the permission of the Director of Public Instruction;

(b) whether the Director of Public Instruction is competent to interfere in a case where the Manager dispenses with the services of a teacher who refuses for a reduction of his pay; and

(c) whether the Department has made any provision to check such malpractices of the Managers of private schools in the State?

MR. A. GOPALA MENON: (a) No.

(b) Yes.

(c) Yes.

Renewal of memo of grants.

87. *MR. N. NARAYANA KURUP: Will the Government be pleased to state :

(*a*) whether the teachers have to renew their memo of grants every year ;

(*b*) if so, when is it to be done ;

(*c*) how long will it take to re-issue them ; and

(*d*) whether the teachers are not able to get their grants for Karkatakam, Chingam and Kanni, generally, owing to the delay caused by such renewals ?

MR. A. GOPALA MENON : (*a*) Grants to private Malayalam and Tamil Schools have to be renewed every year.

(*b*) It is renewed from Karkatakam every year.

(*c*) About two months.

(*d*) No.

MR. N. NARAYANA KURUP : May I know what the practice is with regard to private English High Schools ?

MR. A. GOPALA MENON : Sir, the question is not clear.

MR. N. NARAYANA KURUP : Sir, I want to know what the practice is with regard to the renewal of grants with regard to private English High Schools ?

MR. A. GOPALA MENON : They get the grants called maintenance grants only once in the year.

Opening of Special Schools.

88. *MR. T. T. KESAVAN SASTRI : Will the Government be pleased to state whether they have sanctioned the opening of Special Schools for encouraging the education of backward communities,; if so, the total number of such schools and under whose management the said schools are to be conducted ?

MR. A. GOPALA MENON : Yes; 45 schools—of which 31 are Harijan schools and 14 are Hindu Mission Schools. Of the 31 Harijan Schools, 28 are under the management of the All-India Harijan Sevak Sangh, Kerala Provincial Board, Trivandrum: 2 are under the management of Mr. K. Kumar, President, Elanthoor Harijan Sevak Sangh and 1 is under the management of Mr. Thattmala Raman Pillai, Kadakkal. The Hindu Mission Schools are conducted under the auspices of the Kerala Hindu Mission, Trivandrum.

MR. T. T. KESAVAN SASTRI : ഈ സ്പെഷ്യൽ സ്കൂളുകൾക്കുവേണ്ടി വരുന്ന തുക എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറു ഫണ്ടിൽനിന്നോ അതല്ലാ അവശസമുദായ സംരക്ഷണ ഫണ്ടിൽനിന്നോ ചിലവാക്കുന്നതു്?

MR. A. GOPALA MENON : എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിൽ നിന്നാണു് ചിലവാക്കുന്നതു്.

MR. T. T. KESAVAN SASTRI: അവശസമുദായത്തിൽപെട്ട ആളുകൾ നേരിട്ടു ഭംഗിയായി നടത്തുന്ന സ്പെഷ്യൽ സ്കൂളുകൾക്ക് ഗ്രാൻറു അനുവദിച്ചുകൊടുക്കുന്നതിനു ദയവുണ്ടാകുമോ?

MR. A. GOPALA MENON: അതു് മേലാൽ ചെയ്യേണ്ട ഒരു കാര്യമായതുകൊണ്ടു ആലോചിച്ചു പ്രവർത്തിക്കാം.

Graduate Headmasters and Teachers in the Education Department.

89. *** MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to lay on the table a statement, by caste, of the graduate Headmasters and Teachers in the Education Department?

MR. A. GOPALA MENON: The statement is placed on the table.

MR. K. P. KOCHUKORA THARAKAN: സർ ൮൯-ാംനമ്പർ ചോദ്യത്തിനു പകരം ൯൮ എന്നാണ് ഇതിൽ അച്ചടിച്ചു കാണുന്നതു്. ഇങ്ങനെയുള്ള ധാരാളം തെററുകൾ പ്രസ്സിൽനിന്നും കാണുന്നുണ്ടു്. അതുകൊണ്ടു ഗവണ്മെൻറ് ഈ വിഷയത്തിൽ പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതാണ്.

MR. M. K. NILAKANTA AIYAR: മേലാൽ ഇതിനെപ്പററി വേണ്ട നിഷ്കർഷ ചെയ്യുന്നതാണ്.

Statement, by caste, of the persons in the Registration Department.

90. *** MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the persons in the Registration Department in posts carrying a pay of above Rs. 25?

MR. K. SANKARAN: A †statement containing the information is laid on the table.

MR. P. KUNJUKRISHNAN: Of the 10 Ezhavas may I know how many are in the cadre of Registrars?

MR. K. SANKARAN: I claim notice.

**Vide* Appendix No. III. pp. 181 and 182.

†*Vide* Appendix No. IV. p. 182.

Appendix I.

Vide Answer to Question No. 60.

Statement showing details regarding ladies in the Registration Department as on 15-3-1115.

Serial No.	Name.	Designation.	Caste.	Date of first appointment.	Qualification.	Pay and allowance.	Remarks.
1	K. G. Bhagavathy Amma	Sub-Registrar	Nair	9-3-1104	B. A. & Registration Test	Rs. 55 in 50-75	First appointment in the Education Department.
2	M. Janaki Amma	Head Clerk	Do.	11-2-1106	Do.	Rs. 40 in 25-40	
3	J. Mascarene	Clerk	Latin Christian	10-6-1107	Do.	Rs. 37 in 25-40	
4	G. Bharathy Amma	Clerk	Nair	15-7-1107	Do.	Rs. 40 in 25-40	Rs 10 A. A. Ag. on Rs. 50-75.
5	K. Lekshmy	Clerk	Ezhava	5-9-1108	Do.	Rs. 31 in 25-40	
6	P. L. Kamalakshy Amma	Head clerk	Nair	29-10-1103	Do.	Rs. 28 in 25-40	First appointment in the Education Department.
7	B. Bharathy Amma	Do.	Nair	-3-1109	Do.	Rs. 25 in 25-40	
8	P. K. Kousalya	Do.	Ezhava	15-4-1109	Do.	Rs. 25 in 25-40	
9	K. M. Janaki Amma	Clerk	Nair	11-3-1106	E. S. L. C. and Registration Test	Rs. 23 in 20-25	
10	G. Meenakshi Amma	Clerk	Nair	7-4-1107	Do.	Rs. 23 in 20-25	
11	Elachy Abraham	Clerk	Other Christian	26.7-1106	B. A. & Registration Test	Rs. 22 in 20-25	Rs. 3 A. A. Ag. on Rs. 25-40.

Appendix I—(*contd.*)

Serial No.	Name,	Designation.	Caste.	Date of first appointment.	Qualification.	Pay and allowance.	Remarks.
12	K. N. Lekshmi Amma	Clerk	Nair	7-10-1106	Vernacular Higher	Rs. 23 in 20-25	
13	V. E. Aleyamma	Clerk	Marthomite	23-12-1106	E. S. L. C.	Rs. 21 in 20-25	
14	P. Chellamma	Clerk	Nair	9-7-1108	E. S. L. C. and Registration Test	Rs. 21 in 20-25	
15	P. K. Lekshmy	Clerk	Ezhava	13-11-1108	E. S. L. C.	Rs. 21 in 20-25	
16	N. Janakikutty	Clerk	Vilakithala Nair	15-4-1109	V. S. L. C.	Rs. 21 in 20-25	
17	S. Ponnamma	Clerk	Nadar(Hindu)	20-1-1110	V. S. L. C.	Rs. 21 in 20-25	
18	K. Lekshmikutty Amma	Clerk	Vilakithala Nair	2-4-1110	V. S. L. C. and Registration Test	Rs. 21 in 20-25	
19	M. I. Thevi	Clerk	Pulaya (Hindu)	11-12-1110	V. S. L. C.	Rs. 20 in 20-25	
20	N. Pankajakshy	Clerk	Ezhava	26-10-1107	E. S. L. C and Registration Test	Rs. 20 in 20-25	

Appendix No. II.

Vide Answer to Question No. 72.

Statement, by caste, of the candidates selected for the male nursing class.

A.	HINDU—		
	Brahmin	...	1
	Nayar	...	1
	Kammala	...	1
	Nadar	...	1
	Ezhava	...	1
	Cheramar (Pulaya)	...	1
	Other Hindus	...	4
	(a) Vellala	...	1
	(b) Yadhava	...	1
	(c) Shoe-maker	...	1
	(d) Barber	...	1
B.	MUSLIM	...	1
C.	CHRISTIAN—		
	Jacobite	...	1
	Marthomite	...	1
	Syriac Catholic	...	1
	Latin Catholic	...	1
	S. I. U. C.	...	1
	Other Christians	...	2
	(a) C. M. S.	...	1
	(b) Sambavar	...	1

Appendix No. III.

Vide Answer to Question No. 89

Statement, by caste, of Headmasters of English High Schools.

Brahmins	...	16
Nayar	...	1
Other Hindus	...	3
Jacobite Christian	...	1
Marthomite Christian	...	1
Other Christians	...	2
Total	...	24

Statement, by caste, of Graduate teachers.

Brahmins	...	141
Nayars	...	74
Other Hindus	...	21
Kammala	...	1
Nadar	...	1
Ezhavas	...	11
Muslims	...	6
Jacobites	...	26
Marthomite	...	27
Syriac Catholic	...	1
Latin Catholics	...	6
S. I. U. C.	...	21
Other Christians	...	32
Total	...	368

Appendix No, IV.

Vide Answer to Question No. 90.

Statement, by caste of the persons in the Registration Department in posts carrying a pay of above Rs. 25.

Caste.		No. of persons employed
A. *Hindu.*		
1. Brahmin	...	28
2. Nair	...	72
3. Other Caste Hindu	...	11
4. Kammala	...	1
5. Nadar	...	1
6. Ezhava	...	10
7. Cheramar (Pulaya)	...	...
8. Other Hindu	...	12
B. *Muslims.*	...	5
C. *Christians.*		
1. Jacobite	...	15
2. Marthomite	...	16
3. Syrian Catholic	...	4
4. Latin Catholic	...	6
5. S. I. U. C.	...	3
6. Other Christian	...	5

Member sworn in.

MR. M. GOVINDA PILLAI (*Financial Secretary to Government*) took the oath and signed the rolls.

DISCUSSION ON THE REPORT OF THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES, (*contd*)

PRESIDENT : I have been asking various honourable members as to what in their opinion would be the most expeditious means of getting through the business. A certain amount of general observations would be inevitable and I think—I entirely leave to it the honourable members to decide—about lunch time today we ought to be able to finish the general observations. So, I am suggesting for the consideration of this House that in view of the fact that various honourable members have to put forward resolutions and amendments, and if they do this one by one much time will be taken, the best way for dealing with the matter is for the honourable members, who want to speak, to send in their names to the Secretary who will prepare a list by which the debate can be guided.

MR. T. T. KESAVAN SASTRI : സർ, പബ്ലിക്കസർവീസ് കമ്മീഷണരുടെ റിപ്പോർട്ടിലെ ചില സൂചനകളെ പരാമർശിച്ചുകൂടി ചിലതു് പറയേണ്ടതായിട്ടുണ്ടു്. സർവീസിൽ പ്രാതിനിധ്യമില്ലാതിരുന്ന സമുദായങ്ങൾക്കു കമ്മീഷണരുടെ നിയമനമനുസരിച്ചു ഗുണമുണ്ടായിട്ടുള്ളതായി റിപ്പോർട്ടിൽ രേഖപ്പെടുത്തിയിട്ടുള്ളതു് സബഹുമാനം അനുസമരിക്കുന്നു. എന്നാൽ പുലയസമുദായത്തിനു ആ ഗുണമുണ്ടായിട്ടില്ലെന്നും അവരുടെ സാക്ഷരത്വം അത്രത്തോളം കുറവാണെന്നും പറയുന്നു. കമ്മീഷണരുടെ ഈ അഭിപ്രായം ശരിയാണോ എന്നു സംശയമുണ്ടു്. പുലയസമുദായത്തിൽ മലയാളം, ഇംഗ്ലീഷ്, സംസ്കൃതം മുതലായ ഭാഷകളിൽ ഗവൺമെൻറു പരീക്ഷകൾ പാസായിട്ടുള്ളവരും സർവീസ് ചട്ടപ്രകാരം പേർ രജിസ്റ്റർ ചെയ്തിട്ടുള്ളവരും സാമാന്യവിദ്യാഭ്യാസം ലഭിച്ചിട്ടുള്ളവരും ഇതേവരെ യാതൊരു ജോലിയും ലഭിച്ചിട്ടില്ലാത്തവരും ഒട്ടും കുറവല്ലെന്നുള്ള വസ്തുത എനിക്കു ശരിയായി അറിയാവുന്നതാണു്. ആളില്ലെന്നു് കമ്മീഷണർക്കു് സംശയമുണ്ടെങ്കിൽ അപേക്ഷകരെ അനുവാദമുണ്ടായാൽ ഈ സമുദായത്തിൽ നിന്നു തന്നെ ഹാജരാക്കാൻ ഞാൻ തയാറാണു്. പുലയക്കു് വിദ്യാഭ്യാസസൗകര്യം ലഭിച്ച സമയത്തെക്കുറിച്ചു് കമ്മീഷണർക്കു് അറിവുണ്ടായിരിക്കയില്ലെന്നു തോന്നുന്നു.

വേറൊന്നു പറയാനുള്ളതു് ആക്ടിംഗ് നിയമനങ്ങളെക്കുറിച്ചാണു്. ഒരു മാസത്തിൽ കവിയാത്ത നിയമനങ്ങൾ നടത്താൻ ഡിപ്പാർട്ടുമെൻറു മേലധികാരികൾക്കു് അധികാരമുള്ളതായി കമ്മീഷണർ ഒരിക്കൽ ഇവിടെ പ്രസ്താവിച്ചിരുന്നു. എന്നാൽ മിക്കവാറും ഡിപ്പാർട്ടുമെൻറു് മേല

[Mr. T. T. Kesavan Sastri.]

ധികാരികാം അതിൽ ശ്രദ്ധിച്ചുകാണുന്നില്ല. ബഹുമാനപ്പെട്ട പ്രൊവൈസ്ചാൻസലർ മി. സി. വി ചന്ദ്രശേഖരൻ തുടങ്ങി അപൂർവ്വം ചില ഡിപ്പാർട്ടുമെന്റു മേലധികാരികാം മാത്രമേ അതിൽ ശ്രദ്ധിച്ചതായി കാണുന്നുള്ളു. അധികാരം ലഭിച്ചിട്ടുള്ള ഉദ്യോഗസ്ഥന്മാരിൽ അധികം പേരും കമ്മീഷണരെ മുണ്ടി അശ്രദ്ധ കാണിക്കുന്നതു് പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. ആക്ടിങ്ങ് നിയമനം കിട്ടാത്തവരുടെ കാര്യം സർവീസ് കമ്മീഷണരുടെ കീഴ്സിൽബന്ധികാം പരിഗണിക്കാതെയുമിരിക്കുന്നു. ഇതു് പരമാർത്ഥമാണ്. അതിനാൽ ആക്ററിംഗ് നിയമനസംഗതിയിലും ഒരു വ്യവസ്ഥയുടെ അത്യാവശ്യം ഉണ്ടെന്നു തന്നെയാണ് ഞാൻ പറയുന്നതു്. ഇപ്പോഴത്തെ സർവീസുകമ്മീഷണരെത്തന്നെ തുടർന്നു നിയമിക്കണമെന്നാണെന്റെ അഭിപ്രായം. കമ്മീഷണർക്ക് മലയാളഭാഷ അറിഞ്ഞുകൂടാ എന്നൊരു കുറവു മാത്രമെയുള്ളു. കമ്മീഷണരുടെപുതിയ സിക്രട്ടറിയുടെ നിയമനത്തിൽ ഗവണ്മെന്റു ഔചിത്യപൂർവം ശ്രദ്ധിച്ചുകാണുന്നതിൽ സന്തോഷിക്കുന്നു. മി. എച്ച്. പി. വാറനെ സിക്രട്ടറിയായി നിമിച്ചപ്പോൾ ഭാഷാജ്ഞാനത്തിൽ കമ്മീഷണരും സിക്രട്ടറിയും ഒരുപോലെ ആയിരിക്കുമോ എന്ന് എനിക്കു ആശങ്കയുണ്ടായിരുന്നു. ആളുമായി യാതൊരു പരിചയവും ഉണ്ടായിരുന്നില്ലെങ്കിലും ഞാൻ അദ്ദേഹത്തിനു മലയാളമണിപ്രവാളഭാഷയിൽ ഒരു അനുമോദനക്കത്തു എഴുതി അയച്ചിരുന്നു. അതിനു അദ്ദേഹം മലയാളത്തിൽതന്നെ സ്വന്ത കൈപ്പടയിൽ സമുചിതമായ ഒരു മറുപടിയും അയച്ചുതന്നു. അതോടുകൂടി എന്റെ സംശയവും തീർന്നു സന്ദർഭവശാൽ ഇതും ഇവിടെ പ്രസ്താവിച്ചുവെന്നേയുള്ളു.

സർ, തിരുവിതാംകൂറിന്റെ സകല അഭിവൃദ്ധിക്കും സഹായകനായ ദിവാൻജി അവർകൾക്കു പബ്ളിക്കു സർവീസ് പ്രാതിനിധ്യവാദത്തിനു ശരിയായ ഒരു സമാധാനം നല്കാൻ വേണ്ട സൗകര്യങ്ങൾ എല്ലാം ഉണ്ടു്. പ്രാപ്തനായ ഒരു കമ്മീഷണർ, ശേഷിമാനായ ഒരു സെക്രട്ടറി, സമർത്ഥരായ ഡിപ്പാർട്ടുമെന്റു മേലധികാരികൾ, മഹാസമർത്ഥനായ ചീഫ്സെക്രട്ടറി ഇവരെല്ലാം ഉള്ളപ്പോൾ ഈ വിഷമ പ്രശ്നത്തിനു പരിഹാരം വരുത്താൻ എളുപ്പമുണ്ടു്. കഴിയുന്നതും വേഗത്തിൽ വേണ്ടതു് ചെയ്യണമെന്നപേക്ഷിച്ചു കൊണ്ടു് ഈ പാർട്ടിയിൽ നിന്നും അവതരപ്പിച്ചിട്ടുള്ള ഉപക്ഷേപങ്ങളുടെ തത്വങ്ങളോടു ഞാൻ പൂർണ്ണമായി അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. P. S. MUHAMED (*Quilon cum Kottarakara*): നാഷനൽ കാൺഗ്രസ് ലീഡർ മി. പത്മനാഭപിള്ള ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തെ ഞാൻ ഹൃദയപൂർവം പിൻതാങ്ങുന്നു. ഈ പ്രമേയം മി. പത്മനാഭപിള്ളയുടെ സ്വന്തമായിട്ടുള്ളതല്ല. നാഷണൽ കാൺഗ്രസ് പാർട്ടിയിലെ അംഗങ്ങളും നാഷണൽകാൺഗ്രസിലെ പ്രധാനഅംഗങ്ങളുംകൂടി ആലോചിച്ചു ഈ രാജ്യത്തെ വിവിധസമുദായങ്ങൾ യോജിച്ചു മുന്നോട്ടു പോകുന്നതിനു പ്രതിബന്ധമായി നില്ക്കുന്ന പബ്ളിക്ക് സർവീസിലെ ഉദ്യോഗ നിയമനത്തെ സുസ്ഥാപിതമാർഗ്ഗങ്ങളിലും എല്ലാവർക്കും തൃപ്തികരമായനിലയിലും ആയി ഒരു പദ്ധതി ഉണ്ടാക്കണമെന്നു വളരെ ദിവസങ്ങളായി ആലോചിച്ചതിന്റെ ഫലമായിട്ടാണ് ഇങ്ങനെ ഒരു പ്രമേയം ഇവിടെ അവതരിപ്പിക്കപ്പെട്ടിട്ടുള്ളത്. അനേകകാലമായി വളരെ മത്സരം ഉണ്ടാക്കിക്കൊണ്ടിരുന്ന പബ്ളിക്ക സർവീസിലെ ഉദ്യോഗനിയമനത്തിനു തൃപ്തികരമായ ഒരു അവസാനതീരുമാനം ഉണ്ടാക്കുകയാണെങ്കിൽ ഈ രാജ്യത്തെ രാഷ്ട്രീയാന്തരീക്ഷത്തിനുതന്നെ വലിയ ഒരു മാററം ഉണ്ടാകുമെന്നുള്ളതിനു യാതൊരു സംശയവും ഇല്ല. ഇതിനെ സംബന്ധിച്ചു രണ്ടുവിധത്തിലാണ് വാദം നടന്നുകൊണ്ടിരുന്നത്. ഒന്നു കാര്യക്ഷമതയുടെ പേരിലും മറെറാന്ന് സമുദായങ്ങളുടെ നേർക്ക് നീതികാണിക്കണമെന്ന നിലയിലും ആയിരുന്നു. പബ്ളിക്ക്സർവീസിൽ ഉയർന്ന സ്ഥാനങ്ങൾ കരസ്ഥമാക്കുന്നതിനു ഭാഗ്യമുണ്ടായ സമുദായങ്ങൾ കാര്യക്ഷമതയ്ക്കുവേണ്ടി വാദിച്ചുകൊണ്ടിരുന്നു. അതിൽ പ്രധാനസ്ഥാനത്തു നിന്നതു് നായർ സമുദായമാണ്. ഈ വിധത്തിൽ അസമത്വസമുദായങ്ങളും ഇവരും തങ്ങളിൽ അറിയാതെതന്നെ ഹൃദയംകൊണ്ടു് അകന്നകന്ന് വന്നുതുടങ്ങി. രാജ്യത്തിന്റെ പൊതുഗുണത്തിനാവശ്യമുള്ള പല പ്രവൃത്തികളും ഇവർക്ക് യോജിച്ചു പ്രവർത്തിക്കുന്നതിനു സാധിക്കാതെ വന്നു. കുറെ മാസങ്ങൾക്കുമുമ്പു് തിരുവിതാംകൂറിലെ രാഷ്ട്രീയമണ്ഡലം ആകപ്പാടെ ഇളക്കിമറിക്കത്തക്കവിധത്തിൽ പ്രക്ഷോഭണമുണ്ടായപ്പോൾ സമാധാനം സ്ഥാപിക്കണമെന്നുള്ള ആഗ്രഹത്തോടുകൂടി ഉത്തരവാദിത്വമുള്ള പൗരന്മാർ ചേർന്ന് ഉദ്യോഗനിയമനചിന്തയോ സമുദായസ്പർദ്ധയോ ഗണിക്കാതെ ദേശീയമായ ഉദ്ദേശത്തോടുകൂടി സ്ഥാപിക്കപ്പെട്ട സംഘടനയാണ് നാഷനൽ കാൺഗ്രസ്. രാജ്യത്തിന്റെ പലഭാഗത്തും അതിലെ പ്രവർത്തകന്മാർ സഞ്ചരിച്ചു. ഈ രാജ്യത്തു സമാധാനം പുലരണമെങ്കിൽ ഉദ്യോഗനിയമനവിഷയത്തിൽ കാര്യമായി എന്തെങ്കിലും ചെയ്യാതെ സാധിക്കുകയില്ലെന്നു മനസ്സിലായി. കാര്യക്ഷമതയുടെപേരിൽ സമുദായപ്രാതിനിധ്യവാദത്തെ എതിർത്തുകൊണ്ടിരുന്ന നായന്മാർക്കുതന്നെ അതിന്റെ

[Mr. P.S. Muhamed.]

അത്യാവശ്യം എത്രത്തോളമുണ്ടെന്നു മനസ്സിലായി. അതിലേക്കു നായന്മാരും ഈഴവരും തമ്മിൽ യോജിച്ചു് ശ്രമിച്ചതിന്റെ ഫലമായിട്ടാണു് ഇങ്ങനെ ഒരു പ്രമേയം ഇവിടെ അവതരിക്കപ്പെട്ടിട്ടുള്ളതു്.

MR. K. P. KOCHUKORA THARAKAN: മററെല്ലാം സമുദായക്കാർ അതിൽ ചേർന്നിട്ടുണ്ടു്?

MR. P. S. MUHAMED: നാഷണൽ കാൺഗ്രസ്സിൽ ചേർന്നിട്ടുള്ള എല്ലാ സമുദായക്കാരും കൂടി ആലോചിച്ചു തീരുമാനിച്ചിട്ടുള്ളതാണു് ഇതു്. അല്ലാതെ നായന്മാരും ഈഴവരും തമ്മിൽ മാത്രമുള്ള ഒരു തീർച്ചയല്ല.

MR. K. P. KOCHUKORA THARAKAN: നാഷണൽ കാൺഗ്രസ് പാർട്ടിയിൽ യാക്കോബാ സമുദായത്തിൽനിന്നു് ആരെങ്കിലും ഉണ്ടോ?

MR. P. S MUHAMED: സ്റ്റേററു് കാൺഗ്രസിൽ മെമ്പറല്ലാത്ത പല യോഗ്യന്മാരും ഇതിൽ സഹകരിച്ചിട്ടുണ്ടു്. അതുകൊണ്ടു് ഇതുനിമിത്തം ആക്കും ഒരു ദൂഷ്യവും വരാനില്ല. ഉണ്ടെന്നുകാണുന്ന ദൂഷ്യങ്ങളെ പരിഹരിക്കുന്നതിനും ധാരാളം സൗകര്യമുണ്ടു്. മററതെങ്കിലും സമുദായത്തെ ഇതുകൊണ്ടു അസുഖപ്പെടുത്തണമെന്നു് ആഗ്രഹിക്കുന്നില്ല. സമുദായപ്രാതിനിധ്യവാദത്തെ മുക്തകണ്ഠം എതിർത്തുകൊണ്ടിരുന്ന നായന്മാർ സമുദായങ്ങളുടെ പാപ്പുലേഷൻ ബെസിസ്സിൽ സമുദായപ്രാതിനിധ്യം അനുവദിച്ചുകൊടുക്കുന്നതിനു് സമ്മതമാണെന്നാണു് പറയുന്നതു്. നാഷണൽകാൺഗ്രസിൽ ഇല്ലാത്ത മററു സമുദായക്കാർ പറയുന്നതും ജനസംഖ്യാനുപാതികമായ പ്രാതിനിധ്യം എല്ലാവർക്കും അനുവദിച്ചുകൊടുക്കണമെന്നാണു. ഇതിനെ സ്വീകരിക്കാൻ തയാറുണ്ടോ എന്നുമാത്രമാണു് അറിയേണ്ടതു. അങ്ങിനെ ആവശ്യപ്പെട്ടതു് മനസാക്ഷിയോടുകൂടിയാണെങ്കിൽ ആ തത്വം ഈ പ്രമേയത്തിൽ ഉണ്ടോ എന്നുമാത്രമേ നോക്കേണ്ടതുള്ളു. ഈ പ്രമേയംകൊണ്ടു് കാണുന്നതു് രണ്ടുമൂന്നു സംഗതികളാണു്. ഉദ്യോഗങ്ങളെ ഹയർഡിവിഷനെന്നും ലോവർഡിവിഷനെന്നും രണ്ടായി തിരിച്ചിട്ടുണ്ടു്. ൧൫൦ രൂപയ്ക്കുമേലുള്ള ഉദ്യോഗങ്ങളെ ഹയർ ഡിവിഷനെന്നും അതിനു താഴെയുള്ളവരെ ലോവർ ഡിവിഷനെന്നും നിശ്ചയിച്ചു. ൧൫൦ രൂപയ്ക്കുകീഴുള്ള സകല ഉദ്യോഗങ്ങളും ജനസംഖ്യയനുസരിച്ചു് കൊടുക്കേണ്ടതാണെന്നു പ്രമേയത്തിൽ വിവരിക്കുന്നുണ്ടു്. മുൻസിഫ് ഉദ്യോഗവും അതനുസരിച്ചു് കൊടുക്കാം. ൨൦ രൂപയ്ക്കുമേലുള്ള ഉദ്യോഗങ്ങളെ ഇൻറർമീഡിയററു വകുപ്പിൽ ഉൾപ്പെടുത്തി ൪൦ ശതമാനം അൺറിപ്രസൻറഡ് കമ്മ്യൂണിററീസ്സിനു നീക്കിവച്ചിട്ടുണ്ടു്. പ

ബ്ളിക്ക്സർവീസ് കമ്മീഷണർ നീതിമാനും ന്യായസ്ഥനമാണ്. എന്നാൽ അദ്ദേഹത്തിൻെറ ഉദ്യോഗ നിയമനങ്ങളെ നോക്കിയാൽ ധാരാളം അനീതികൾ ചെയ്തിട്ടുണ്ടെന്നു കാണാവുന്നതാണ്. നിയമനപ്പട്ടികയിൽ ഇൻറർമീഡിയററിൽ ൧൭൪൬ ആണ് കാണുന്നത്. ഇതിൽ ൪൭ ഉദ്യോഗം മുസ്ലീമിങ്ങൾക്കു കിട്ടിയിട്ടുണ്ട്. ഇതു കഷ്ടിച്ച് ൯ ശതമാനം മാത്രമേ ആകുന്നുള്ളു. മുസ്ലീമിങ്ങളുടെ ജനസംഖ്യയനുസരിച്ച് ൧൨൬ ആളുകൾക്ക് ഉദ്യോഗം ലഭിക്കേണ്ടതാണ്. മുസ്ലീമിങ്ങളുടെ ജനസംഖ്യയിൽ നേർപകുതിയും കാൽഭാഗവും ജനസംഖ്യയുള്ള പല സമുദായക്കാർക്കും മുസ്ലീമിങ്ങളെക്കാൾ മൂന്നിരട്ടി ഉദ്യോഗങ്ങൾ ലഭിച്ചിട്ടുണ്ട്. പരീക്ഷയിൽ സ്ഥാനാർത്ഥികളായി ധാരാളം മുസ്ലീമിങ്ങൾ ഉണ്ടായിരുന്നു എന്ന് റിപ്പോർട്ടിൽ കാണുന്നുണ്ട്. സമുദായത്തിൻെറ ഇന്നത്തെ നിലനോക്കിയാൽ മത്സരപരീക്ഷയിൽ അവർ പിന്നോക്കംനിൽക്കുകയില്ലെന്നു കാണാവുന്നതാണ്. ഇ. എസ്. എൽ. സി. പരീക്ഷയിൽ ധാരാളം മുസ്ലീമിങ്ങൾ പാസായിട്ടുണ്ട്. ഈ സ്ഥിതിക്ക് മുസ്ലീമിങ്ങളുടെ എണ്ണത്തിൽ കുറവു കാണുന്നു എങ്കിൽ അതിൽ എന്തോ ഉണ്ടെന്നുവേണം വിചാരിക്കുവാൻ. പബ്ളിക്കസർവീസ് കമ്മീഷണരുടെ കാൽക്കുലേഷൻ അനുസരിച്ച് ൯൪൨൪ ഉദ്യോഗത്തിൽ ൨൯൦ എണ്ണം മുസ്ലീമിങ്ങൾക്കു ലഭിച്ചിട്ടുണ്ട്. ശരിയായി ലഭിക്കേണ്ടതു ൨൪൬ ആണ്. എന്നാൽ മററു പല സമുദായക്കാർക്കും കൂടുതൽ കിട്ടിയിട്ടുണ്ട്. ഈ വിധത്തിലുള്ള പ്രവർത്തികൾ കൊണ്ട് അസമത്വസമുദായങ്ങളുടെ ഹൃദയത്തെ വ്രണപ്പെടുത്തീട്ടുണ്ട്. ഈ അസംബ്ളിയിൽ പബ്ളിക്കസർവീസ് കമ്മീഷണരുടെ റിപ്പോർട്ട് വാദപ്രതിവാദത്തിനുവരുമ്പോൾ അതു മുഴുവനും മാററണമെന്ന് വാദിക്കണമെന്നാണ് ഞാൻ വിചാരിച്ചിരുന്നതു. എന്നാൽ നാഷണൽ കാൺഗ്രസ് പ്രവർത്തകരുടെ ഈ നാശ്രയം കണ്ടതുകൊണ്ടാണ് അതുവേണ്ടെന്നു നിശ്ചയിച്ചതു. അതുകൊണ്ടാണ് ഈ പ്രമേയത്തെ സന്തോഷത്തോടുകൂടി പിൻതാങ്ങുന്നതു. ഈ പ്രമേയം അനുസരിച്ച് മുസ്ലീമിങ്ങൾക്ക് ൧൨൫ ഉദ്യോഗങ്ങളല്ല ലഭിക്കുന്നതു. ൧൪൬ കിട്ടുന്നതാണ്. ഈ നിലയ്ക്കു ഓരോ സമുദായത്തിനും കിട്ടും. ന്യായമായി കിട്ടേണ്ട എണ്ണം കുറയുകയില്ല എന്നുമാത്രമല്ല ചിലപ്പോൾ കൂടുതലും കിട്ടും. മുസ്ലീം സമുദായത്തിന് കാര്യമായ പ്രയോജനം ഉണ്ടാകണമെന്ന് ആഗ്രഹിക്കുന്ന ഏതൊരുത്തനും ഈ പ്രമേയത്തെ അനുകൂലിക്കാതിരിക്കുകയില്ല. ഇതിൽ ചില ഭേദഗതികൾ എൻെറ മാന്യസ്നേഹിതൻ അവതരിപ്പിച്ചിട്ടുണ്ട്.

PRESIDENT : I have received notices from about 15 honourable members evincing their desire to speak. I therefore propose to fix ordinarily 5 to 7 minutes for each speaker.

The honourable member may finish soon.

MR. P. S. MUHAMED : ററി. സി. എസ്. പരീക്ഷയെ സംബന്ധിച്ച് ഇന്നുള്ള റൂൾസുതന്നെ മേലും വേണ്ടതാണ്. ആ സംഗതിയിൽ പ്രമേയം അവതരിപ്പിച്ച ആളിന് അഭിപ്രായവ്യത്യാസം ഉണ്ടെന്നുതോന്നുന്നില്ല.

എയിഡഡ് സ്കൂളുകളെക്കൂടി ഇതിൽ ഉൾപ്പെടുത്തണമെന്നു പറയുന്നുണ്ട്. അതിനെപ്പററി അമെൻറ്മെൻറ് വന്നതുകൊണ്ടു രണ്ടുവാക്കു പറയാമെന്നു വിചാരിക്കുന്നു. നാഷണൽ കാൺഗ്രസ്കാരുടെ പ്രമേയത്തിൽ അതില്ല. ഈഴവസഹോദരന്മാരും ക്രിസ്ത്യാനിസഹോദരന്മാരും സ്നേഹമായി വർത്തിക്കാനിടയുള്ളതുകൊണ്ട്—അവരുടെ ഹൃദയത്തെ തല്ക്കാലം വേദനപ്പെടുത്തിയിട്ടുണ്ടെങ്കിലും ...

MR. K. R. NARAYANAN (*Vaikom cum Kottayam*) : ഈഴവസമുദായത്തിൽ പെട്ടവർ ക്രിസ്ത്യാനിസഹോദരന്മാരുടെ ഹൃദയത്തിന് വേദന ഉണ്ടാക്കീട്ടില്ലെന്ന് മെമ്പർക്കറിയാമോ?

MR. P. S. MUHAMED : അങ്ങിനെ പ്രവർത്തിച്ചിട്ടില്ല. എന്നാണ് എൻെറ അറിവ്. ഇതുവരെ അങ്ങിനെ ചെയ്തിട്ടില്ലാത്തസ്ഥിതിക്ക് ഈ നിശ്ചയത്തെ എല്ലാവരും സ്വീകരിക്കേണ്ടതാണ്.

MR. K. R. NARAYANAN : ഗവൺമെൻറ് ഗ്രാൻറ് നൽകുന്ന വൈദ്യശാലകളേക്കൂടി ഇതിൽ ഉൾപ്പെടുത്തുന്നതുകൊണ്ടു വിരോധമുണ്ടോ?

MR. P. S. MUHAMED : എനിക്ക് വിരോധമില്ല.

MR. THAMARAPLLIL KOCHUTHOMMEN (*Tiruvella*): സർ, പബ്ളിക്കു സർവീസ് കമ്മീഷണരുടെജോലി നിർവഹണത്തിനുവേണ്ടി ഇന്നലെ ഈ സഭയിൽ വിതരണം ചെയ്ത മെമ്മോറിയൽ വായിച്ചുനോക്കി. തിരുവിതാംകൂറിലെ ൫൧ ലക്ഷം ജനങ്ങളെ മൂന്നു മതവിഭാഗമായി കണക്കാക്കി ഹിന്ദുക്കൾക്കു ൬൧ ക്രിസ്ത്യാനികൾക്കു ൩൧ മുഹമ്മദീയർക്ക് ൭ ഇങ്ങനെ ൫൧ ആയി വിഭജനം ചെയ്തു കാണുന്നു.

ജനസംഖ്യ എടുക്കുന്ന കാലത്തു വിദ്യാഭ്യാസം ചെയ്തവരേയും വിദ്യാവിഹീനന്മാരേയും പ്രത്യേകം തരം തിരിച്ചെടുക്കുന്നുണ്ട്. ഓരോ സമുദായത്തിലും വിദ്യാഭ്യാസം ചെയ്തിട്ടുള്ളവരുടെ സംഖ്യയെ കണക്കാക്കി ഉദ്യോഗങ്ങൾ വീതിക്കുന്നതു നന്നായിരിക്കുമെന്നാണ് എൻെറ താഴ്മ

യായ അഭിപ്രായം. വിദ്യാഭ്യാസമുള്ളവർക്ക വിദ്യാഭ്യാസമില്ലാത്തവരുടെ കണക്കുകൂടി കൂട്ടി ഉദ്യോഗം തട്ടിക്കുന്നതിന ഇതൊരു നല്ല വിദ്യയായിരിക്കുമെന്നുള്ളതല്ലാതെ വേറൊന്നും പറവാൻ കാണുന്നില്ല. സമുദായത്തിലെ സാക്ഷരതയുള്ളവരുടെ സംഖ്യ കണക്കാക്കി ഉദ്യോഗം കൊടുക്കേണ്ടതാണ. ഒരു സമുദായത്തിലെ വിദ്യാഭ്യാസമുള്ള വ്യക്തികളുടെ സംഖ്യ കണക്കാക്കി ആ തോതനുസരിച്ച് ഉദ്യോഗം കൊടുക്കാമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvella*) : അപ്പോൾ പബ്ളിക്കസർവീസിൽ ജനസംഖ്യാനുപാതികമായ പ്രാതിനിധ്യതത്വം സ്വീകരിക്കുന്നതു തെററാണെന്നാണൊ മെമ്പറുടെ അഭിപ്രായം.?

MR. THAMARAPALLIL KOCHUTHOMMEN : വിദ്യാഭ്യാസം ചെയ്തവരുടെ സംഖ്യ നോക്കി ഉദ്യോഗം കൊടുക്കണമെന്നേ ഞാൻ പറയുന്നുള്ളു.

MR. KAINIKKARA M. PADMANABHA PILLAI : (*Changanachery cum Peermade*) ഉദ്യോഗവിതരണം ഓരോ സമുദായത്തിനും ജനസംഖ്യാനുപാതികമായി നൽകണമെന്ന് അഭിപ്രായമില്ലേ?

MR. TAMARAPALLIL KOCHUTHOMMEN : ഇല്ല.

MR. PADIYARA JOSEPH KUNJU (*Chenganachery cum Peermade*): ഇതേവരെ ക്രസ്തീയസമുദായം അംഗീകരിച്ചിട്ടുള്ള ഒരു നിലയല്ലാ ഇതെന്നു മെമ്പക്കറിയാമോ?

MR: TAMARAPALLIL KOCHUTHOMMEN : അറിഞ്ഞുകൂടാ.

MR. PADIYARA JOSEPH KUNJU : ഈ അഭിപ്രായം ക്രസ്തീയസമുദായത്തിൽ മററാക്കെങ്കിലും ഉണ്ടൊ?

MR. KAINIKKARA M. PADMANABHA PILLAI : One question, Sir.

PRESIDENT : Really the honourable member is being bombarded by questions and I think he is feeling it. I am willing to allow one more question to be put to him, but no more.

MR. KAINIKKARA M. PADMANABHA PILLAI : ജനസംഖ്യാനുപാതികമായി ഉദ്യോഗം വിഭജിക്കുന്നതു തെററാണെന്നു നായന്മാർ ഇതുവരെ പറഞ്ഞുകൊണ്ടിരുന്നരീതി നിവൃത്തി ഇപ്പോൾ ജനസംഖ്യാനുപാതികമായി ഉദ്യോഗങ്ങൾ വിഭജിക്കണമെന്നു പറയുന്നതുകൊണ്ടാണോ മെമ്പർ ഇതിനെ എതിക്കുന്നത്?

MR. THAMARAPALLIL KOCHUTHOMMEN : അതുകൊണ്ടല്ല. ഞാൻ എന്റെ സ്വന്തഅഭിപ്രായം പറഞ്ഞുവെന്നേയുള്ളു. വിദ്യാഭ്യാസമുള്ള

[Mr. Thamarapallil Kochuthommen.]

വരുടെ ജനസംഖ്യ ഓരോ സമുദായത്തിലും എടുത്ത് അതിനെ അടിസ്ഥാനപ്പെടുത്തി ഉദ്യോഗവിതരണം ചെയ്യുന്നതായാൽ ഹിന്ദുക്കൾക്ക ഏഴും ക്രിസ്ത്യാനികൾക്ക അഞ്ചും മഹമ്മദീയൎക്ക ഒന്നും വീതം ഇങ്ങനെ പതിമൂന്നായിട്ട കണക്കാക്കാവുന്നതും ഈ ക്രമമനുസരിച്ച് ഉദ്യോഗം കൊടുക്കേണ്ടതുമാണ്. വിദ്യാഭ്യാസത്തെ അടിസ്ഥാനമാക്കി ഉദ്യോഗവിഭജനം ചെയ്താൽ എല്ലാ സമുദായങ്ങളിലും വിദ്യാഭിവൃദ്ധിക്കുള്ള ശ്രമങ്ങൾ അതാതു സമുദായക്കാർ ചെയ്യുന്നതാണ്. ഈ പ്രസ്താവിച്ച ഭേദഗതിയോടുകൂടി ഞാൻ ഈ ഭേദഗതിയെ അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. K. R. NARAYANAN: സർ, തിരുവിതാംകൂറിലെ രാഷ്ട്രീയാന്തരിക്ഷം സദാസമയവും പ്രക്ഷുബ്ധമാക്കിക്കൊണ്ടിരിക്കുന്ന സമുദായപ്രാതിനിധ്യകാൎയ്യത്തിന് സാമാന്യം തൃപ്തികരമായ ഒരു തീരുമാനമുണ്ടാക്കത്തക്ക ഒരു നിശ്ചയം അവതരിപ്പിച്ചിരിക്കുന്ന നാഷണൽ കാൺഗ്രസ്സ് പാർട്ടിയെയും, ആ പാർട്ടിയുടെ ലീഡർ മി. പത്മനാഭപിള്ളയെയും, ആശയും, ആനന്ദവും അലതല്ലുന്ന ഹൃദയത്തോടുകൂടി ഞാൻ അഭിനന്ദിച്ചു കൊള്ളുന്നു. സമുദായപ്രാതിനിധ്യവാദത്തെ സാധാരണയായി എതിർത്തുവന്നത്-സ്വാഭാവികമായി എതിർത്തുവന്നത് — അമിതപ്രാതിനിധ്യമുള്ള സമുദായങ്ങളിൽ ഒരു പ്രധാനസമുദായമായ നായർസമുദായമായിരുന്നു. അങ്ങിനെ എതിർത്തുവന്നവരിൽ ഗണ്യമായസ്ഥാനം മി. കൈനിക്കരയ്ക്കുണ്ടായിരുന്നു. ആ നായർ സമുദായത്തിലെ, ആ മി. കൈനിക്കര സമുദായസൗഹാർദ്ദത്തിനും, പരസ്പരവിശ്വാസത്തോടുകൂടിയ പ്രവൎത്തനത്തിനുംവേണ്ടി വിട്ടുവീഴ്ചകളോടുകൂടി ആദർശലോകത്തുനിന്ന് പ്രായോഗികലോകത്തേയ്ക്കു വന്നു കാണുന്നത് ആൎക്കും സന്തോഷകരമാണ്. ഇതൊരു പരാജയലക്ഷണമല്ലാ; തീർച്ചയായും ദീർഘദൃഷ്ടിയോടുകൂടിയ മഹാമനസ്കതയുടെ ലക്ഷണമാണെന്നുള്ളതിനു സംശയമില്ല. ഇന്നത്തെ നിശ്ചയം പ്രാതിനിധ്യം കുറഞ്ഞ സമുദായക്കാരുടെ സങ്കടപരിഹാരത്തിനു തികച്ചും പൎയ്യാപ്തമാണെന്നു എനിക്കഭിപ്രായമില്ലാ. ഉള്ളവരും ഇല്ലാത്തവരും തമ്മിലുള്ള ഒരു സന്ധിയിൽ, ഉഭയകക്ഷികളുടെ സമ്മതമുള്ള ഒരു പരിപാടിയെന്നുള്ള ഇതിന്റെ പ്രത്യേകനിലയാണു ഇതിന്റെ മെച്ചം. നായരീഴവകാൺഫറൻസിനെ സംബന്ധിച്ചു ചില തെറ്റിദ്ധാരണകളുള്ളതായിക്കാണുന്നു. പബ്ളിക്കസർവീസ്സിനെ സംബന്ധിച്ച് ഉത്തരധ്രുവത്തിലും ദക്ഷിണധ്രുവത്തിലുമാണു ഈ രണ്ടു സമുദായങ്ങളും നില്ക്കുന്നത്. മതഘടനകൊണ്ടും മററും അടുക്കുവാൻ കൂടുതൽ സൗകൎയ്യമുള്ളതും ഇവർ

തമ്മിലാണ്. ഈ രണ്ടു പ്രബലസമുദായങ്ങളുടെ അകൽച്ച മാററയാൽ മററുള്ള സമുദായങ്ങളുമായി അടുത്തു ഒരു സർവസമുദായമൈത്രിയുണ്ടാക്കുവാനുള്ള വഴി ഭംഗിയായി തെളിയും. ചില സമുദായങ്ങളെ കൂട്ടു പിടിച്ചു മററു ചില സമുദായങ്ങളെ ദൂഷണം ചെയ്യണമെന്നുള്ള ദ്രോഹബുദ്ധിയോടുകൂടി ഈഴവർ ആലോചനകളിൽ പങ്കെടുത്തിട്ടില്ലാ. നായന്മാരുടേയും നില അതുതന്നെയായിരിക്കണം. അകൽച്ച കഴിയുന്നതും കളഞ്ഞു്, അടുപ്പമുണ്ടാക്കുവാനുള്ള ശ്രമമാണു — നഷ്ടമില്ലാത്ത ശ്രമമാണ് — നാം തുടരേണ്ടതു.

മി. കൊച്ചുതൊമ്മൻ മുതലാളി സാക്ഷരത്വം നോക്കി ഉദ്യോഗം കൊടുക്കണമെന്ന് പറഞ്ഞുകേട്ടപ്പോൾ "ഇതാണോ ഭൂലോകം" എന്നു ഞാൻ സ്വയം ചോദിച്ചുപോയി. ഇന്നലെ വരെ മി. കൈനിക്കരെയും മററും പറഞ്ഞിരുന്നതു് സാക്ഷരത്വം. ഇന്നു അവരുതമ്മാററി നാം പറഞ്ഞിരുന്ന ജനസംഖ്യാനുപാതികതത്വം സമ്മതിച്ചപ്പോൾ, ജനസംഖ്യാനുപാതികതത്വത്തിനു വാദിച്ചുകൊണ്ടിരുന്ന ഒരു സമുദായത്തിലെ മി. മുതലാളി സാക്ഷരത്വത്തിനു വാദിക്കുന്നു. ഈ വാദത്തിന്റെ ദൃഷ്ട്യം — ക്രിസ്ത്യാനികൾക്കു മൊത്തത്തിലുള്ള ദൃഷ്ട്യം — മി. മുതലാളി മനസ്സിലാക്കിയെന്നു ഞാൻ വിശ്വസിക്കുന്നില്ലാ. മനസ്സിലാക്കിയാണു പറഞ്ഞതെങ്കിൽ സാക്ഷരത്വത്തിനു വളരെ പിന്നോക്കം നില്ക്കുന്ന ചില ക്രിസ്ത്യൻ സമുദായക്കാർ ഈ പുതിയ പ്രസംഗം ഒരു അപഹരണമായി കരുതും. ആ കരുതൽ തെററാണെന്ന് പറയുവാൻ സാദ്ധ്യമല്ലാത്ത വിധത്തിൽ മററുസമുദായങ്ങൾ സമുദായനീതിയുടെ മുമ്പിൽ കഴയുകയും ചെയ്യും. മി. മുതലാളി ഇതു തന്റെ സ്വന്തം അഭിപ്രായമാണെന്നും, ക്രിസ്ത്യൻ സമുദായത്തിന്റെ അഭിപ്രായം ഇതായിരിക്കുവാൻ ഇടയില്ലെന്നും പ്രസ്താവിച്ചതു പല ശങ്കകൾക്കും സംശയങ്ങൾക്കും പരിഹാരം വരുത്തുന്നുണ്ടെന്നുള്ളതു് മാക്കാവുന്നതല്ലാ. പബ്ളിക്കുസർവീസ്സുകമ്മീഷണരുടെ റിപ്പോർട്ടു ഞാൻ പല പ്രാവശ്യം വായിച്ചു. ഇന്നലെ ഇവിടെ ചിലമെമ്പറന്മാർ അദ്ദേഹത്തെ അഭിനന്ദനംകൊണ്ടു അഭിഷേകം ചെയ്തതുപോലെയുള്ള ഒരു അകാലപ്രശംസയ്ക്കു് ഞാൻ മുതിരുന്നില്ലാ. സാരമായ പിശകുകൾ അദ്ദേഹത്തിന്റെ നിയമങ്ങളിൽ വന്നിട്ടുണ്ട്. ഇൻറർമീഡിയററു ഡിവിഷനിൽ, ഫ ർന്ന നിയമനം നടന്നതിൽ, ന്യൂന നിയമനങ്ങൾ, അമാത്യപ്രാതിനിധ്യമുള്ളവക്കു കൊടുത്തു. അവർ ജനസംഖ്യയുടെ നാലിലൊന്നായിരിക്കുമ്പോൾ ഉദ്യോഗ

[Mr. K. R. Narayanan.]

ത്തിന്റെ രണ്ടിലൊന്നു ലഭിക്കുന്നു. ഇതേ അവസരത്തിൽ തന്നെ, ൧൨൨ ലാംഗ് സർവീസ്സ് ക്യാൻഡിഡേറ്റുകളെക്കൂടി ഇവിടെ നിയമിക്കുന്നുണ്ട്. ഈ ലാ: സ: ക്യാൻഡിഡേറ്റുകളും പ്രായേണ പ്രാതിനിധ്യം കൂടുതലുള്ള സമുദായത്തിലെ അംഗങ്ങളായിരിക്കും. കണക്കു ശരിക്കുനോക്കിയാൽ അതു സമുദായനീതിയുടെ മറയിൽ കൂടി സമുദായകുത്തക പുലർത്തിയിരിക്കുന്ന പട്ടികയായി മാറുന്നതു കാണാം.

MR. KANNANTHODATH JANARDANAN NAIR: ലാംഗ് സർവീസ്സനോക്കി, കൊടുത്തുകൂടാ എന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. K. R. NARAYANAN: ലാംഗ് സർവീസ്സ് പരിഗണിക്കരുതെന്നു ഞാൻ പറയുന്നില്ല. സർവീസ്സിൽ കയറുവാനും, ലാംഗ് സർവീസ്സുണ്ടാക്കുവാനും, ഭാഗ്യമില്ലാത്തവരുടെ പിച്ചച്ചട്ടിയിൽ മണ്ണു വാരിയിടത്തക്കവണ്ണം, നിയമനം നടത്തരുതെന്നു മാത്രമാണു ഞാൻ പറയുന്നതു്. സമുദായപ്രാതിനിധ്യം നോക്കി നിയമിക്കുവാനുള്ള ൪൦% ഈ തരക്കാരെക്കൊണ്ടു നിറച്ചാൽ ഉറങ്ങിക്കിടക്കുന്നവരെ വിളിച്ചുണർത്തി അത്താഴമില്ലെന്നു പറയുന്നതുപോലെ സങ്കടമായിരിക്കും.

ഇൻറർമിഡിയറ്റു ഡിവിഷനിൽ ഇങ്ങിനെയുള്ള പ്രധാന തകരാറുകൾ വന്നതു്, ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാർ, ഒഴിവുണ്ടാകാവുന്നതിൽ കൂടുതൽ ഓവർഎസ്റ്റിമേററുചെയ്തു് സർവ്വീസ്സ കമ്മീഷണരെ അറിയിച്ചതുകൊണ്ടും, അതനുസരിച്ചു പരീക്ഷനടത്തി ആളുകളെ ജോലികൊടുക്കുവാൻകഴിയാതെ പുറത്തുനിറുത്തിയതുകൊണ്ടുമാകുന്നു. റിപ്പോർട്ടിൻെറ ൫-ാം പുറത്തു്, ൧൧൨-ൽ, ൨൬൬ അക്കൗണ്ടന്റന്മാരെ വേണ്ടിവരുമെന്നു അറിയിച്ചിരുന്നതായും, ഇതുവരെ ൨൦ പേരെപോലും നിയമിക്കുവാനുള്ള വേക്കൻസികൾ ഉണ്ടായിട്ടില്ലെന്നു് കാണുന്നതും ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാരുടെ ഓവർഎസ്റ്റിമേഷൻെറ ദൃഷ്ടാന്തം കാണിക്കുവാനുള്ള ഒരു ജീവൽദൃഷ്ടാന്തമാകുന്നു. ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാരുടെ ഈ ഓവർഎസ്റ്റിമേഷൻ പ്രാതിനിദ്ധ്യംകൂടിയ സമുദായങ്ങൾക്കു ഗുണകരമായും, കുറഞ്ഞവൎക്കു ഉപദ്രവകരമായും വന്നിരിക്കുന്നു.

MR. KANNANTHODATH JANARDANAN NAIR: അപ്പോൾ ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാർ കരുതിക്കൂട്ടി ഓവർ എസ്റ്റിമേററു ചെയ്യുന്നുവെന്നാണോ മെമ്പർ അഭിപ്രായപ്പെടുന്നതു്.

MR. K. R. NARAYANAN: കരുതിക്കൂട്ടിയല്ലായിരിക്കാം. ചെയ്യുന്നവരും, ഗുണംകിട്ടുന്നവരും അമിതപ്രാതിനിദ്ധ്യമുള്ള സമുദായങ്ങളിലെ അ

ഗങ്ങളായിരിക്കുമ്പോൾ കരുതിക്കൂട്ടിയാണെന്നല്ലയെന്നിന്നു സംശയിക്കുവാൻ ദുർബലങ്ങളല്ലാത്ത കാരണങ്ങളുണ്ടെന്നുള്ളതു മറച്ചുവെയ്ക്കാവുന്നതല്ല. കരുതിക്കൂട്ടിചെയ്തിട്ടില്ലെന്നു തന്നെയിരിക്കട്ടെ. ആ വാദമുഖം സമ്മതിക്കുന്ന പക്ഷം ഉണ്ടാകാവുന്ന വേക്കൻസികളുടെ സാമാന്യമായകണക്കു കൂട്ടുവാൻ ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാർക്കു കഴിയാതിരിക്കുന്നുവെന്നു സമ്മതിക്കേണ്ടിവരും.

MR. K. P. KOCHUKORATHARAKAN : പത്തു പ്രവൃത്തിയാരന്മാരെഗവണ്മെൻറിൽ നിന്നും നിയമിച്ചിട്ടുള്ള വിവരം അറിയാമോ?

MR. K. R. NARAYANAN : അറിയാം. അതിൽ ഒരീഴവൻപോലും ഇല്ലെന്നുള്ള വസ്തുതകൂടി അറിയാം.

ലോവർഡിവിഷൻറ പ്രാരംഭനിയമനങ്ങളിൽ എല്ലാസമുദായങ്ങളോടുമുള്ള നീതി കമ്മീഷണർഅവകർാസാമാന്യമായി പാലിച്ചിട്ടുണ്ടു. കമ്മീഷണർ നിയമിച്ച ആളുകളിൽ എത്രപേർ സർവ്വീസിലുണ്ടെന്ന് അന്വേഷിക്കുമ്പോഴാണു, വാലുകെട്ടാത്തക്കൂട്ടിൽ കയററിയ മത്സ്യങ്ങളുടെ അനുഭവമാണ്, പ്രാതിനിദ്ധ്യം കുറഞ്ഞ സമുദായങ്ങളിലെ അംഗങ്ങൾക്കു ലഭിച്ചിരിക്കുന്നതെന്നു വെളിവാകുന്നതു്. പബ്ലിക്കസർവീസ്സുകമ്മീഷണർ ഒരു കൃസ്ത്യാനിയേയും, ഒരു പുലയനേയും രണ്ടു ഡിപ്പാർട്ടുമെൻറിലേയ്ക്കു നിയമിച്ചു. കൃസ്ത്യാനിക്കുവേണ്ടി അവധിയെടുക്കവാൻ കൃസ്ത്യാനികൾ കാണും. എടുത്താൽ നിയമിക്കുവാൻ ആളുകളും കാണും. പുലയൻെറ അവധിതീർന്നാൽ എടുക്കുവാൻ പുലയനില്ലാ, എടുപ്പിച്ചാൽ കൊടുക്കുവാൻആളുമില്ലാ. ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാരുണ്ടാകുവാൻഭാഗ്യമുള്ള സമുദായത്തിലെ അംഗങ്ങൾ പ്രായേണ ഭാഗ്യവാന്മാർ. മററുള്ളവർ പടിവാതലുകൾ കാത്തു നിരാശയോടുകൂടി മടങ്ങുന്നനിർഭാഗ്യവാന്മാർ. ഞാനിവിടെ കൃസ്ത്യാനിയെന്നും പുലയനെന്നും പറഞ്ഞതു് പ്രാതിനിദ്ധ്യം കൂടിയവരെന്നും കുറഞ്ഞവരെന്നും ഉള്ള വിവക്ഷയിൽ മാത്രമാണു. ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്മാരിൽ കൺഫർമേഷൻപവ്വർ ഇരിക്കുന്നതും പ്രാതിനിദ്ധ്യം കുറഞ്ഞവർക്കു ഉപദ്രവകരമാണു. എത്ര സൂക്ഷിച്ചാലും പരിസരസമ്മർദ്ദംകൊണ്ടു് ചിലർക്കു ചിലരോടു പക്ഷപാതം കാണിക്കേണ്ടിവന്നുപോകും. സമുദായജീവികളായമനുഷ്യൻെറ ഒരു ക്ഷീണവശം, ഒരു ന്യൂനത, നാം എന്തിനു മറച്ചുവയ്ക്കുവാൻ പാഴ്വേല കാണിക്കുന്നു.

മുകളിൽ വിവരിച്ച ന്യൂനതകൾക്കെല്ലാം കുറവുവരണമെങ്കിൽ ഒരു ഉപദേശകസമിതി ഉണ്ടായിരിക്കണം. ആ ഉപദേശകസമിതിയിൽ

[Mr. K. R. Narayanan.]

ഗണനീയമായ സമുദായങ്ങൾക്കെല്ലാം പ്രാതിനിധ്യവും ഉണ്ടായിരിക്കണം. മി: പത്മനാഭപിള്ളയുടെ നിശ്ചയത്തിൽ ഇതു കാണുന്നുണ്ട്. നിഷ്പക്ഷമായ ഒരു പ്രദേശകസമിതിയുടെ നീതിപൂർവ്വകമായ ഉപദേശംകൊണ്ടല്ലാതെ കമ്മീഷണർ വസ്തുതകൾ ശരിക്കു ധരിക്കുകയില്ല. മി: പത്മനാഭപിള്ളയുടെ നിശ്ചയത്തിൽ ചില ചില്ലറ ഭേദഗതികൾ വേണമെന്നു എനിക്കഭിപ്രായമുണ്ട്. അതെല്ലാം അതിന്റെ അവസരത്തിലായിക്കൊള്ളാം.

MR. K. NARAYANAPERUMAL NADAR Sir, I agree with the conclusions reached by the Nair—Ezhava Conference. In so doing, I would like to make only one observation. Paragraph 17 of the conclusions reached at the Nair—Ezhava Conference reads thus:—

> "The principbl of communal rotation adopted for recruitment to public service should be made applicable to aided institutions such as colleges, schools and vaidyasalas under private management."

The principle underlying this was the subject of discussion in the Public Service Recruitment Committee of which I was a member. At page 51 of the Report of the Committee we find that it was moved that

> "the representation of various communities on the staff of the aided schools be taken into account in fixing the proportion allotted to each community on the staff of the departmental schools,"

and the opinion of the members of that Committee are to be found at pages 52 to 56 of the Report. At page 56 we find the following :

> "The resolution was put to vote and the result was as follows.—
>
> Messrs. Thanu Pillai, McAlpine, Westerdale, Kunjan Pillai and Narayanaperumal Nadar were for the motion. Messrs. Govindan, Kuniithomman, Thomas and Mahomed were against. Mr. Madhavan remained neutral. Miss Janaki Ammal was not present. The motion was carried."

In the Nair-Ezhava Conference a proposal for communal representation in aided schools has been made. Another reason is that one evil can be averted. In grant-in-aid schools, especially in South Travancore, belonging to the London Mission Society and the Roman Catholics, which are run with the help of Government money, proselytisation is carried on.

PRESIDENT : Order, order. The subject which we are discussing is thorny enough in all conscience. To bring allied subjects which might lead to more controversy would only arouse heat but will cast very little light.

MR. K. NARAYANAPERUMAL NADAR : If communal rotation is adopted in the various schools this evil of proselytisation will not exist. I will illustrate. Suppose a Hindu Nadar approaches a Christian

manager. The first question put to him is not whether he is a graduate or an under-graduate, or whether he is trained or untrained. It is whether he is a Christian or Hindu. The second question is whether he is prepared to become a Christian if given a job.

PRESIDENT : I do not think that the honourable member need go into this question. The honourable member may turn to some other aspect of the matter.

MR. K. NARAYANAPERUMAL NADAR : I wanted to deal exhaustively with that subject and I am very sorry I am not allowed to do so.

I want to say a few words about Rule 47 in regard to proof of community. I have already pointed out that the Christian Nadars write in their applications as Nadars and get appointed in the name of Nadars as defined in Schedule III. They do not write in their applications as S. I. U. C. or as Latin Catholics. Many of them write only as Nadars. Though during the period under review a number of Nadars were appointed to the Intermediate Division and to the Lower Division, I find that more than 50 per cent of them are not Nadars as defined in the schedule. Therefore it is a matter which has to be very carefully considered by Government.

Sir, it was I who led the deputation to the Dewan on 25th Kanni 1113 and he promised us to consider our request favourably. I also submitted a memorial to the Chief Secretary to Government on the same subject. On the 9th September 1939, he gave the reply in the following words :

> "With reference to your representation dated the 5th April 1939, I have the honour to inform you that as regards your suggestion that it should be made a rule that a Nadar applicant for appointmen in public service should produce a certificate showing his religion, Government consider that such a rule is unnecessary as the Public Service Recruitment rules provide sufficient safeguards against false declaration about the community to which an applicant belongs."

It is only by making the Nadar applicant produce a certificate showing his religion in the column provided for it in the application, the evil referred to by me could be averted. I have been careful enough to ascertain the feeling of my community in this matter and they have all agreed to adopt my suggestion. It is on the strength of that assurance from the community which I represent, I am urging the adoption of my proposal. Once again I appeal to the authorities to incorporate my suggestion. As my time is limited, with these observations I resume my seat.

SRIMATI T. NARAYANI AMMA (*Nominated*): Sir, I beg to extend my hearty support to the resolution before the House. It was a happy idea on the part of the Government to have decided that the whole scheme of recruitment to the Public Services outlined in the G.O. of 25th June 1935 should be worked for three years tentatively and thatat the end of that period the position should be reviewed in the light of the conditions then existing. And anxious as the Government are for ascertaining public opinion on this important question, the Report of the Public Service Commissioner on the operation of the rules has been rightly included as one of the important subjects in the current session of the Assembly. And, we the members of the Legislature ought to be thankful to the Government for the opportunity thus afforded us for ventilating our views on this thorny subject of recruitment to the public services. While on this question, one feels it necessary to point out at the very outset that exceedingly good work has been done by the Public Service Commissioner. The able manner in which he has tackled what is admittedly a complex question deserves our warm commendation.

As regards the question of the representation of the various communities in the public services, I as a member of the National Congress party in the Legislature do not wish to say anything more than what is contained in the joint memorial submitted by us, the recommendations of which are embodied in the form of a resolution and moved here yesterday. I may be permitted, however, to point out that with reference to this important question, we have to bear in mind the fact that on account of the very nature of the subject, it is not possible to solve the problem to the full satisfaction of all the communities concerned. All that possibly can be done is to create as much satisfaction as possible by a well-desired scheme, and this is what the Government have done.

There is one other matter which though not directly connected with the public service recruitment rules, as such, has a vital bearing on this important question of recruitment to the public services and as such it cannot be lost sight of and which I feel it my duty to refer to in this connection. I mean the recruitment of qualified women in the public services. Sir, women may be said to be an inadequately represented community so far as the public service is concerned. With the steady increase in the number of quailified women, the demand for a larger number of women being appointed in the various branches of the public service is sure to increase. It is therefore in the fitness of things that definite rules are laid down and enforced in regard to this matter. With these observations, I support the resolution before the House.

MR. PADIYARA JOSEPH KUNJU : സർ, കഴിഞ്ഞ ൨൦ സംവത്സരക്കാലമായി വർഗ്ഗീയപ്രാതിനിധ്യത്തിനുവേണ്ടി അനുസ്യൂതമായി പോരാടീട്ടുള്ള ഒരുവനാണു ഞാൻ. എന്നാൽ ഇതുവരെ ക്രിസ്ത്യൻസമുദായത്തിലെ ഒരംഗം സാക്ഷരത്വമനുസരിച്ചു പ്രാതിനിധ്യം വേണമെന്നു പറഞ്ഞു കേൾക്കുന്നതു ഇന്നുമാത്രമാണ്. എനിക്കു ക്രിസ്ത്യൻ സമുദായത്തിന്റെ പൊതുപ്രതിനിധി എന്ന നിലയിൽ എന്തെങ്കിലും പറയുന്നതിന് അവകാശമുണ്ടെന്നു ഞാൻ പറയുന്നില്ല. എന്നാൽ ഞാൻ ഉൾപ്പെട്ട സിറിയൻ കാത്തലിക സമുദായം സാക്ഷരത്വമനുസരിച്ചുള്ള പ്രാതിനിധ്യത്തെ ശക്തിയായി പ്രതിഷേധിക്കുന്നു എന്നു പ്രസ്താവിച്ചുകൊള്ളട്ടെ. ഞങ്ങൾക്കാവശ്യമുള്ളതു് ജനസംഖ്യാനുപാതികമായ പ്രാതിനിധ്യമാണ്. സർ, എന്റെ സമുദായത്തിലുള്ള പല നേതാക്കന്മാരോടും ആലോചിച്ചു അവരുടെ പൂർണ്ണമായ അറിവോടും സമ്മതത്തോടും കൂടിയാണ് നാഷനൽ കോൺഗ്രസ് പാർട്ടിയിൽനിന്നും സമർപ്പിച്ച മെമ്മോറിയലിൽ ഞാൻ ഒപ്പുവച്ചതു്. ക്രിസ്ത്യൻ സമുദായാംഗങ്ങളിൽ ആരെങ്കിലും സാക്ഷരത്വം അനുസരിച്ചു സമുദായപ്രാതിനിധ്യം കൊടുക്കണമെന്നു കാര്യം ഗ്രഹിക്കാതെ പറഞ്ഞാൽ അതിനെ മറപിടിച്ചുകൊണ്ടു് അമിതപ്രാതിനിധ്യമുള്ള സമുദായാംഗങ്ങൾ ആരും അതനുസരിച്ചുള്ള വാദം നടത്തരുതു് എന്നു് എനിക്കവരോടു് അപേക്ഷയുണ്ടു്. മി. കൊച്ചുതൊമ്മൻ മുതലാളി ഇത്രയും പറഞ്ഞതുകൊണ്ടു്, ഇതുവരെയുള്ള എന്റെ പഴമ പരിചയംവച്ചുകൊണ്ടു്, ഈ പ്രശ്നത്തെപ്പററിയുള്ള ഒരു സംക്ഷിപ്ത ചരിത്രം ഈ സഭയെ അറിയിക്കുന്നതു നന്നായിരിക്കുമെന്നു ഞാൻ വിചാരിക്കുന്നു. ആദ്യകാലത്തു സമുദായപ്രാതിനിധ്യത്തെപ്പററി ഞങ്ങൾ പ്രസ്താവിച്ചപ്പോൾ സർവീസിൽ അമിതപ്രാതിനിധ്യം ലഭിച്ചിട്ടുള്ള പ്രബലസമുദായത്തിലെ അംഗങ്ങൾ ഞങ്ങളെ അവഹേളിച്ചു, പരിഹസിച്ചു, ഭത്സിച്ചു. ഞങ്ങൾ വീണ്ടും ബലമായി വാദിച്ചുതുടങ്ങിയപ്പോൾ കേവലം അവജ്ഞയോടുകൂടി ഉത്തരം പറയാതെ കഴിച്ചുകൂട്ടി. പിന്നെയും ഈ വാദം പ്രബലീഭവിച്ചു. അപ്പോൾ അവർ ഇതിനെ ദേശീയവാദം മുഴക്കി എതിർത്തു. പിന്നെയും ഈ വാദം ഒന്നുകൂടി പ്രബലീഭവിച്ചപ്പോൾ രാജ്യത്തിന്റെ ശ്രേയസ്സിനെ പുരസ്കരിച്ചു്—സമുദായങ്ങൾ തമ്മിലുള്ള സൗഹാർദ്ദതയെ ലക്ഷ്യമാക്കി വർഗ്ഗീയപ്രാതിനിധ്യതത്വം അംഗീകരിക്കാമെന്നവർ സമ്മതിച്ചു. അതിനുശേഷമാണു പബ്ളിക്കു സർവീസു കമ്മീഷണരെ നിയമിക്കാമെന്നു ഗവണ്മെന്റു സദയം വാഗ്

[Mr. Padiyara Joseph Kunju.]

ദാനം ചെയ്തതു്. തവളകളെല്ലാംകൂടി ഞങ്ങൾക്കൊരധിപനെ വേണമെന്നാവശ്യപ്പെട്ടു. ഒരു തടിക്കഷണം കൊടുത്തു. അതുപോരാ സജ്ജീവമായ ഒരധിപനെ വേണമെന്നു പറഞ്ഞു. ഒരു കൊക്കിനെ അധിപനാക്കിക്കൊടുത്തു. അതു് എല്ലാത്തിനേയും കൊത്തിത്തിന്നു. ഈ ഒരനുഭവമാണു് വർഗ്ഗീയപ്രാതിനിധ്യവിഷയത്തിൽ കത്തോലിക്കാ സമുദായത്തിനുണ്ടായിട്ടുള്ളതു് എന്നു ഞാൻ കണക്കുസഹിതം തെളിവു തരാം.

സർ, ൧൭൯൩ ഉദ്യോഗങ്ങൾ ലോവർ ഡിവിഷനിൽ നടത്തിയിട്ടുണ്ടു്. ഇൻറർമീഡിയേററു ഡിവിഷനെപ്പററി പറയുമ്പോൾ കാര്യക്ഷമത നോക്കണം അതുനോക്കണം ഇതുനോക്കണം എന്നൊക്കെ പറയും. എന്നാൽ ലോവർ ഡിവിഷനിലാകട്ടെ വെറും തല എണ്ണി ഉദ്യോഗം കൊടുക്കണമെന്നുള്ള ഗവൺമെൻറുത്തരവു് ഇരിക്കെ ആ ഉത്തരവിനെ വകവയ്ക്കാതെ ചെയ്തിട്ടുള്ള അനീതി എത്ര ഭീമമാണെന്നു കണക്കുകൾകൊണ്ടു മനസ്സിലാക്കാം. ൧൭൯൩ ഉദ്യോഗങ്ങൾ ലോവർ ഡിവിഷനിൽ കൊടുത്തപ്പോൾ സിറിയൻ കത്തോലിക്കർക്കു് — ജനസംഖ്യയിലോ, വിദ്യാഭ്യാസത്തിലോ ധനസ്ഥിതിയിലോ മറെറാരു സമുദായത്തിൻേറയും പിന്നണിയിലല്ലാത്ത സിറിയൻ കത്തോലിക്കാസമുദായത്തിനു് — കിട്ടിയ എണ്ണം ൩൮ ആണു്. ഇവിടെ വിതരണം ചെയ്തിട്ടുള്ള ഉദ്യോഗനിയമനസ്റ്റാററിസ്റ്റിക്സ് ഗവൺമെൻറിൻേറയാണൊ, പബ്ലിക്കു സർവ്വീസ് കമ്മീഷണരുടെയാണോ എന്നെനിക്കു നിശ്ചയമില്ല. അതിലെ ൨൦-ാംവശത്തുനിന്നാണു് ഞാൻ ഇതുദ്ധരിച്ചതു്. ൧൧൮ മിഥുനം ൩൧-ാംനു- വരെ ഉദ്യോഗത്തിലിരിക്കുന്നവരും പബ്ലിക്ക് സർവീസ് കമ്മീഷണർ നിയമിച്ചിട്ടുള്ളവരുമായ സുറിയാനി കത്തോലിക്കരുടെ എണ്ണം ഇത്രമാത്രമാണു. ഈ നിയമനം ഏതു തോതനുസരിച്ചാണെന്നു ഞാൻ തിരിച്ചും മറിച്ചും നോക്കി. പ്രാതിനിധ്യം കുറഞ്ഞ സമുദായക്കാൎക്കു കൂടുതൽ കൊടുത്തിരിക്കാം. അങ്ങിനെയാണെങ്കിൽ ഞങ്ങൾക്കും കൂടുതൽ കിട്ടേണ്ടതാണു്. അമിതപ്രാതിനിധ്യമുള്ള വൎക്കാണോ കൂടുതൽ കൊടുത്തതു്? അതുമല്ല. പിന്നെ ഈ കണക്കെങ്ങിനെ വന്നു എന്നെനിക്കറിഞ്ഞുകൂടാ. ഈഴവൎക്കു് ൨൯൩ ഉദ്യോഗങ്ങൾ കൊടുത്തു. അവൎക്കു കൊടുത്തതിൽ എനിക്കു പരാതിയില്ല; അവരും ഞങ്ങളെ

പ്പോലെ അസമത്വമനുഭവിക്കുന്ന സമുദായമാണ്. അതുകൊണ്ട് അവക്കൊരു ൧൨൦ കൂടി കൊടുത്താലും എനിക്കു പരാതിയില്ല. പക്ഷെ അവക്കു ൧൯൯ ഉദ്യോഗം കൊടുത്തപ്പോൾ സിറിയൻ കാത്തലിക്സിനു കൊടുത്തതു ൯൪ മാത്രമാണ്. ബ്രാഹ്മണർക്ക് ൧൭ ഉദ്യോഗങ്ങൾ നൽകിയിട്ടുണ്ടു; നായന്മാർക്ക് ൧൧൮ ഉദ്യോഗങ്ങൾ നൽകിയിട്ടുണ്ട്; മുസ്ലീമിങ്ങൾക്കു ൮൮൭ ഉദ്യോഗങ്ങൾ കൊടുത്തിട്ടുണ്ട്. പബ്ളിക്ക് സർവീസ് റിക്രൂട്ടുമെൻറു റൂൾസിനെപ്പററിയുള്ള റിപ്പോർട്ടിൻെറ ൯-ാം വശത്തു അദ്ദേഹം ൧൯൯ കത്തോലിക്കരെ ഉദ്യോഗത്തിനു ശുപാർശ ചെയ്തതായി പറയുന്നു. സർ, ഈ ൯൪ പേരെ നീക്കി ബാക്കിയുള്ള ൧൦൦ൽ പരം സുറിയാനി കത്തോലിക്കർക്ക് എന്തു സംഭവിച്ചു? അവരെല്ലാം കാളറാ പിടിച്ചുമരിച്ചോ, തിരുവിതാംകൂർ സംസ്ഥാനം വിട്ടുപോയോ? എന്നു ഞാൻ സഗൌരവം ചോദിച്ചുകൊള്ളട്ടെ.

സർ, അങ്ങ് ചിലപ്പോഴല്ല, പലപ്പോഴും, സുറിയാനി കത്തോലിക്കർ രാജഭക്തരും സമാധാനതല്പരരുമാണെന്നു സാക്ഷ്യപത്രങ്ങൾ നൽകീട്ടുണ്ട്. രാജഭക്തിയുടേയും സമാധാനതല്പരതയുടേയും ഫലം ഇതാണോ എന്നാണു ഞാൻ വിനയപുരസ്സരം അങ്ങയോടു ചോദിക്കുന്നതു? ഒന്നുകിൽ അങ്ങയുടെ ഉദ്യോഗസ്ഥന്മാർ അനീതിയായി ദുഷിച്ച മനസ്ഥിതിയോടുകൂടി പ്രവർത്തിച്ചിരിക്കണം അല്ലെങ്കിൽ പബ്ളിക്ക് സർവീസു കമ്മീഷണർ അദ്ദേഹത്തിൻെറ കീഴ് സിൽബന്തികളുടെ വലയിൽപെട്ട് അനീതി പ്രവർത്തിച്ചിരിക്കണം. സർ, ഈ ഡിപ്പാർട്ടുമെൻറ് അനീതി, അക്രമം, അഴിമതി, അസത്യം, അധർമ്മം എന്നീ "അ"കാരപഞ്ചകത്തിൻെറ മൂർത്തീകരണമായിരുന്നു. ഈ രാജ്യത്തെപ്പററിയോ ഇവിടത്തെ സ്ഥിതിഗതികളെപ്പററിയോ യാതൊരു പരിജ്ഞാനവുമില്ലാത്ത ഇവിടത്തെ സമുദായവിഭജനത്തെപ്പററി ഒന്നും അറിഞ്ഞുകൂടാത്ത ഒരാളിനെ ഇവിടത്തെ പബ്ളിക്കു സർവീസു കമ്മീഷണറായി ഞങ്ങൾക്കാവശ്യമില്ലെന്നുള്ളതാണ് എൻെറ അഭിപ്രായം. സർ, ഞങ്ങളെപ്പററിയോ ഞങ്ങളുടെ പ്രാതിനിധ്യസ്വഭാവത്തെപ്പററിയോ അറിവില്ലാത്ത ഒരു വിദേശിയുടെ തിരുമ്മിനെക്കാൾ ഇവിടത്തെ സ്ഥിതിഗതികൾ അറിയാവുന്ന ഒരു സ്വദേശിയുടെ ചവിട്ടാണു ഞങ്ങൾ കൂടുതൽ ഇഷ്ടപ്പെടുന്നതു. ഗവൺമെൻറ് പരിശുദ്ധമായ ഉദ്ദേശത്തോടുകൂടി എല്ലാ സമുദായക്കാരേയും തൃപ്തിപ്പെടുത്തുന്നതി-

[Mr. Padiyara Joseph Kunju.]

നാണ് ഇവിടെ ഒരു പബ്ളിക്ക സർവീസു കമ്മീഷണരെ നിയമിച്ചിട്ടുള്ളതു. എന്നാൽ അനുഭവം തൃപ്തികരമല്ല. അതിനാൽ ഇതിനെ ഒന്നുടച്ചു വാർക്കുകതന്നെ വേണം. അല്ലെങ്കിൽ പബ്ളിക്ക സർവീസു കമ്മീഷണർ വേണ്ട. ഞങ്ങൾക്കു ഉദ്യോഗവും വേണ്ടെന്നു വച്ചേയ്ക്കാം. ആരെങ്കിലും കൊണ്ടുപൊയ്ക്കൊള്ളട്ടെ.

സർ, ഇതിനിടയിൽ മറെറാരു പ്രശ്നംകൂടി മി. നാരായണപ്പെരുമാൾനാടാർ അവതരിപ്പിക്കയുണ്ടായി. മി. കൈനിക്കര പത്മനാഭപിള്ള നേതൃത്വം വഹിക്കുന്ന പാർട്ടിയും, മററു പാർട്ടിയും അംഗീകരിച്ചിട്ടുള്ളതായ റിപ്രസൻറേഷനിൽ അങ്ങനെ ഒരു വ്യവസ്ഥ ഇല്ലല്ലോ എന്നു ഞാൻ സന്തോഷിക്കയും മി. പത്മനാഭപിള്ളയുടെ ഭേദഗതിയാണ് ഇവിടെ പാസ്സാകാൻ പോകുന്നതെന്നു പ്രത്യാശിക്കയും ചെയ്യുന്നു. വിവിധ വകുപ്പുകളെ സംബന്ധിച്ച വാദപ്രതിവാദം വരുമ്പോൾ എനിക്കു പറയുവാനുള്ളതു സവിസ്തരം പ്രസ്താവിച്ചുകൊള്ളാം. മി. നാരായണപ്പെരുമാൾ നാടാരുടെ അസംബന്ധപ്രലപനങ്ങളെ അതർഹിക്കുന്ന അവജ്ഞയോടുകൂടി വീക്ഷിക്കുകമാത്രമേതല്ലൂാഴം ചെയ്യുന്നുള്ളു.

MR K. NARAYANA PERUMAL NADAR: On a point of order, Sir. My friend says that my observations are അസംബന്ധം. May I request the chair to see that that expression is withdrawn.

DEPUTY PRESIDENT: Mr. Joseph Kunju will please withdraw that word.

MR. PADIYARA JOSEPH KUNJU: സർ, മി. നാടാർക്ക് മലയാളം നല്ലവണ്ണം അറിഞ്ഞുകൂടാ. "അസംബന്ധം" എന്നുവച്ചാൽ സംബന്ധമില്ലാത്തതു് എന്നേ അർത്ഥമൊള്ളു. ഇവിടെ ഒരു ജനറൽ ഡിസ്കഷനാണു നടത്തിയതു്.

DEPUTY PRESIDENT: It is for the chair to say whether a certain statement is relevant or irrelevant. The member must withdraw that expression.

MR. PADIYARA JOSEPH KUNJU: I withdraw. സർ, സിറിയൻ കത്തലിക്കിനെപ്പററി മാത്രമേ ഞാൻ പ്രത്യേകമായിട്ടു പറഞ്ഞിട്ടുള്ളു. ഓരോ സമുദായങ്ങളേയും പ്രതിനിധീകരിക്കുന്ന മെംബർമാർ അവരവരുടെ സമുദായത്തെപ്പററി പ്രതിപാദിച്ചുകൊള്ളും. ബാക്കി എനിക്കു പ്രസ്താവിക്കാനുള്ളതു് അതതു വകുപ്പുകൾ വരുമ്പോൾ പ്രസ്താവിച്ചുകൊള്ളാം.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : Sir, in view of the explanation given by Mr. P. S. Mohamed that the mover of the resolution will be prepared to accept the amendments moved by Mr. Kunju Panickar, on the basis of the conclusions arrived at in the joint conference of the leaders of Ezhavas and Nairs at Bhaktivilas and also in view of the suggestion given by the Dewan-President yesterday that this resolution, without being voted upon, will be referred to a committe consisting of the representatives of the different communities, I have great pleasure in agreeing with the general and broad principles contained in the resolution moved before the House yersterday, by Mr. Padmanabha Pillai. Mr. P. S. Mohamed also pointed out that in the agreed points, the representation regarding appointments in private schools has been included and that the Ezhava community should not any further insist on that matter. There is another point also in which there is divergence of a similar nature. In the Advisory Committee proposed in the memorandum submitted by the National Congress, there are six members of whom two are Christians. In the agreed solution I find only 5 members to constitute the committee of whom only one place is given for a Christian. That also is one of the recommendations of the joint conference about which there may be much misunderstanding and unnecessary apprehension. I do not know which of the two communities that conferred at Bhakativilas did raise those two controversial points. I can only assure this House that the Ezhava Community will never stand against the interest of any other community. They want only to safeguard their own interests.

MR. N. VELU ACHARI (*Nominated*) : പബ്ക്കസർവീസിൽ പ്രവേശനം കുറഞ്ഞസമുദായത്തിന് ഈ നിർദ്ദേശം തൃപ്തികരമല്ലെന്നമെംബർക്കറിയാമോ?

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : പ്രധാനപ്പെട്ട എല്ലാ സമുദായക്കാർക്കും തൃപ്തികരമാണ്. അഡൈ്വസറി കമ്മററിയുടെ രൂപീകരണം എല്ലാ സമുദായക്കാർക്കും കഴിയുന്നിടത്തോളം ന്യായമായ പ്രാതിനിധ്യം കിട്ടണമെന്ന ഉദ്ദേശത്തിലാണ്.

MR. N. VELU ACHARI : ഈ നിർദേശപ്രകാരമുള്ള ഉപദേശക കമ്മിററിയിൽ അവശ സമുദായങ്ങളെക്കൂട്ടി ഉൾപ്പെടുത്താൻ നിവൃത്തിയില്ലെന്നു മെംബർക്കറിയാമോ?

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: ജനസംഖ്യയനുസരിച്ചാണ് പ്രാതിനിധ്യം വേണമെന്നു ആവശ്യപ്പെടുന്നത്. എല്ലാ സമുദായങ്ങളിലേയും അംഗങ്ങൾക്ക് ഉപദേശക ബോർഡിൽ പ്രാതിനിധ്യം കൊടുക്കാൻ സാധിക്കാതെ വരാം.

MR. N. VELU ACHARI : അവശ സമുദായങ്ങളിൽ നിന്നു മൂന്നുനാലംഗങ്ങളെക്കൂടി ഈ ബോർഡിൽ നിയമിക്കുന്നതുകൊണ്ട് എന്തു ദൂഷ്യമാണുള്ളതെന്നു മെംബർ ദയവായി പറയുമോ?

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : അക്കാര്യത്തിൽ പ്രായോഗികമായ പല വൈഷമ്യങ്ങളുമുണ്ട്. അവശ സമുദായങ്ങളിൽ നിന്നുകൂടി പ്രതിനിധികളെ എടുക്കുന്ന കാര്യത്തിൽ എനിക്ക യാതൊരു വിരോധവുമില്ല.

Sir, in agreeing with the general propositions contained in the resolution, I wish to bring to the notice of this House one or two matters regarding communal representation. Under the existing Rules, the principle of communal rotation is observed, by the Public Service Commissioner, only when he advises Government or the Heads of Departments in the matter of appointments. I would submit that it is with a view to ensure to the various communities concerned their due share of appointments that this principle of communal rotation has been accepted. In other words, it is the idea that members of all communities should be enabled to get not only acting appointments for a short while but also their due share of permanent jobs, so that eventually they may retire with full pension. At present, according to the figures furnished by the Public Service Commissioner, it is found that, in the intermediate division, out of 1,546 appointments advised by the Public Service Commissioner, only 1,348 have been actually recruited; and, on the last day of Mithunam 1114, only 838 are found to have been actually in service. In other words, on that date only about 50 per cent. of the appointments advised by the Public Service Commissioner actually held good : the other half has been again thrown out of employment and is not able to get continuous posts. When the time for confirmation arises, because of the fact that nearly half of the appointments advised by the Public Service Commissioner have ceased, it is not possible for Heads of Departments strictly to adhere to the principle of communal rotation. Mr. K. R. Narayanan has explained in detail the various difficulties experienced, by members of the unrepresented communities, to get acting appointments, to continue in acting service and to be in service when permanent vacancies occur. Sir, I do not want to find fault with any of the appointing authorities in this matter. Human nature being what it is, discrepancies are bound to occur. Therefore, the Rules should be so modified as to ensure strict communal rotation even when permanent vacancies are filled up. One suggestion has been made by Mr. C. Jebamony Nadar, namely, that the advising authority, the Public Service Commissioner, should be empowered to have some hand in the matter of confirmation also. That is a very reasonable suggestion. But in all these matters, there are practical difficulties. But those are not difficulties which cannot be surmounted. Whatever be the method that is adopted, unless communal rotation is followed in the matter of confirmation also, it

will not be possible for unrepresented communities to get their due share of appointments. Because it is the only safe and sure method by which communal representation in public service on numerical basis could be ensured.

I have just one more point, Sir. Whatever Rules we may frame, whatever machinery we may set up to work the Rules, it is not possible to get satisfactory results without the willing co-operation of the Heads of Departments. I do not want to mention any department in particular. I know as a matter of fact that, in the matter of the relieving of acting hands, in the matter of promotion of subordinates to higher grades when there are qualified hands belonging to the unrepresented communites, and in the matter of exempting certain hands already in service from the prescribed qualification to the prejudice of qualified hands belonging to the unrepresented communities, the Heads of Departments are not always just and fair. And it may not be possible to have adequate communal representation among the Heads of Departments. I should think it is the duty of Government to see that the Rules that they lay down are strictly observed by the Heads of Departments.

One word about the resolution now before the House. This resolution has been moved by the Leader of the National Congress Party. Other members of the same party have moved amendments to the resolution, and still some others have opposed it so that there is no meaning in calling it the National Cogress Party resolution. Moreover, recruitment to public service is not a matter to be decided on party lines. The communities concerned have to be consulted. I would therefore request the mover not to press the resolution to a division. I would appeal to Government to refer the matter to a committee consisting of the representatives of the various communities and to ask them to submit an agreed solution. There is no doubt that the joint conference at Bhaktivilas was an earnest attempt on the part of the Government in this direction. There is also no doubt that the conclusions arrived at at that conference could form the basis for the committee that I have suggested to proceed upon.

MR. M. SIVATHANU PILLAI: Sir, it is on account of the silver line in the speech of the previous speaker towards the close of it that I am emboldened to intervene in this debate. But for those winding up remarks of his I would not have risen to speak on this motion. He said that recruitment to Public Service with details of giving effect to it, should not be made a matter on which the House should be asked to divide.

I may at the outset state that the Report of the Public Service Commissioner has been presented to this House to invite discussion not only on the suggestions contained in the Report but also—as the Dewan-President remarked—on the question whether the present machinery set up by the Government is satisfactory or not. That

[Mr. M. Sivathanu Pillai.]

being the case, I may at once say that the G. O. responsible for setting up the present machinery was not issued at a very auspicious and happy moment. Looking back some years, the circumstances which led to that G. O. can be recollected. It was as a result of the vociferous demands, justified or not, made by certain communities that Government, in one of their weak and unguarded moments, just to placate the vociferous section of the population, permitted themselves to issue that G. O. and not as a result of innate conviction on their part. That has been amply testified to by the utterances made here. Allegations are made that Government themselves stultified their G. O. in practical application. Government, as per the G. O., appointed a Public Service Commissioner and passed certain Rules, and at the same time, (it is alleged) started dubious methods to whittle down their own G. O. and Rules. In other words, Government themselves were not convinced of the utility of their own steps; they merely wanted somehow or other to placate the vociferous section of the people; they merely set the ball in motion so to say and sat on the fence to watch how the game was being played. Sir, if I am asked to give my candid opinion or suggestion, I would ask Government to revoke the G. O. and take their stand on national outlook on the question and take full responsibility for recruitment in future. It is a very difficult problem to base it on communal representation. The moment we think we have solved it, new difficulties, new problems arise for further solution; the solution becomes more and more difficult. My friend Mr. Kainikkara Padmanabha Pillai himself who was once one of the bitterest and staunchest opponents of the principle of communal representation has now come forward with what he calls an agreed solution; and that too has been criticised and opposed by persons who are supposed to be parties to the agreement. Therefore, what I would suggest is that, instead of inviting all sorts of troubles and creating new and more difficult problems it is better that some sincere, some courageous person at the helm of affairs revokes this G. O. taking it upon himself to make all future appointments to the entire satisfaction of all communities. Perhaps, there is not much use in my expatiating upon that aspect of the matter, since the Government have already taken a stand and placed the Report of the Public Service Commissioner before us and invited us to give our opinion on the Report.

So far as the Report is concerned, I for one will unhesitatingly say that the Report, so far as it goes, is very very satisfactory. Subject to its own limitations, the present machinery is sound as the Commissioner has remarked in his report; there is no doubt about that. My friend Mr. Kainikkara Padmanabha Pillai described to us yesterday how interpellations had been put here and cut motions moved with a view to point out the unsatisfactory nature of the present Rules, how the Public Service Commissioner gave clear, succinct and apparently convincing answers, and how although the non-officials seemed to be convinced by such answers they really left this Hall not quite satisfied (but with great doubts). To put it mildly, their suspicions and doubts remained

as they were in spite of the pertinent answers given by the Public Service Commissioner, taking his stand within the four corners of the Rules. Sir, personally I should think it is up to the members to resolve their own doubts if they were otherwise convinced.

Sir, my own idea is that instead of putting before this House a cumbursome resolution of the mover and then asking us to divide upon it, it would have been better to have enunciated a few broad principles and then asked us to vote upon them one after another. That would have been more feasible. The House may divide on the question whether the present machinery is sound or not; if it is considered not sound, we can decide as to what are the changes to be effected. Now, we have before us what is called one agreed solution arrived at between Nairs and Ezhavas, and another agreed solution of the National Congress party. Both these agreed solutions appear to base their conclusions on representation on the basis of population exclusively. That it is a gratuitous conclusion appears on the face of it. It is true that Nairs and Ezhavas are major communities. And there is no doubt that the whole clamour for communal representation is based on population, the numerical strength of the various communities. In this connection I would just request the House to turn to Hyderabad and see what is happening there. Although 90 per cent. of the people there are Hindus and only 10 per cent. are Muslims, in their Legislature, only 50 per cent of the seats is available for the Hindus, and the other 50 per cent. is reserved for the Muslims who form only 10 per cent. of the population. And, people outside the State, Hindus themselves, seem to have accepted that position; even the Indian National Congress, the most important political organisation in British India, seems to have accepted it- at any rate, they have had nothing to say against it.

I was merely referring to that to show that it is not on the basis of population alone that all governments are doing things, but on something else. Therefore, here too, let us not have population alone as the basis. Instead of mere numbers, let us have some more guiding principle. It may be that a community numbering 8 or 9 lakhs has a right to get some jobs in Government service; but it is no reason why Government service should suffer as in several cases it happens. Rotation among communities is not conducive to efficiency, especially in higher grades. Even in lower grades people are entitled to have best service from public servants. Further, by this method certain communities are asked to wait, their population being small. I quite see, Sir, that it is the Government that are responsible for this state of affairs. There is also no doubt that several of our officers are irresponsible in making appointments and do not very much care to safeguard the interests of the country at large when they appoint a particular person to a particular post. For appointments carrying 10 or 15 rupees, we find highly placed officers giving introduction letters. That is the attitude of our officers.

The House rose for lunch at 1·2 P. M. and reassembled at 2 P.M. with the Dewan-President in the Chair.

MR. M. SIVATHANU PILLAI: To summarise what I have been saying, the communal G. O., which brought into being the present machinery in the matter of recruitment of persons to the Public Service was not at all well conceived. It was as a result of incessant clamour in and out of place, that Government issued such a G. O. Government wanted to placate the vociferous section and the result is the communal G. O. So there is no wonder that even after the G. O., and the appointment of the Public Service Commissioner, people are not satisfied and complaints are not wanting in this House that the communal G. O. was nullified. The argument even now in support of communal representation supports my position that the G. O. was not the solution to meet the situation. If the Government could take the courage to revoke the G. O. and depend upon themselves and their sincerity to govern the country, it will go a very great way to help to assuage the people of the country. If, as a matter of fact, a communal G. O. could not be helped and is deemed to be a necessity, then I would submit that the present machinery is quite sufficient.

Then, passing on to the long resolution that has been tabled by the leader of the National Party, he was developing the position that there is nothing tangible to be said against the report of the Commissioner that is placed before the House Nevertheless, he takes his stand upon the supposition that members still doubt the efficacy of this machinery to satisfy the people at large. Evidently the argument on which he bases this resolution is the doubt that the members of the different communities entertain with regard to the possibility of giving entire satisfaction to the different communities by this machinery. I have never heard it said that a proposition is based on doubts. A proposition should be backed by facts. It should never be based upon any doubt whatsoever. Whenever interpellations were sent up for the purpose of answer, invariably he found the Public Service Commissioner giving answers satisfactory to the interpellators and there was no room to find out any complaint whatsoever with regard to the application of the rules. Then, wherein lies the necessity to propound this long resolution? Listening to the speeches of the honourable members, I find that the last speaker was saying that this resolution was not a subject matter on which the House should be asked to divide. And he said his own reasons for it. It should not be made a question of disputation. It ought to be something more and something less. That is how he concluded his speech. He said that there are arguments both for and against the resolution. Let me analyse the position as contained in the resolution.

PRESIDENT: The honourable member has three minutes more.

MR. M. SIVATHANU PILLAI: The resolution seems to find fault with the present machinery in two ways. One is on the principle of rotation of representation on communal basis. The other is that there should be another propellor, a non-official body, to run the machinery. I object to

these propositions. In the firstplace, the rotation ought not to be disturbed, except perhaps by Increasing the percentage for reservation for inadequat rely represented communities and certainly it isnot in the interest of two major communities which were fighting among themselves. With regard to the advisory board, I, for one, would not hesitate to object to it. We all wish that the officer in charge of the Public Service Department must be a person who is above communal prejudices and who is not of any of the contesting communities. We have now a person absolutely unconnected with any of these communities. The present Public Service Commissioner is the most competent person to hold the responsibility of applying the principle contained in the rules of the public service without any of the remotest smack of communal inclination or other interests.

Lastly, if the question of communal representation has to be adhered to, then it should never be done on the basis of population alone. I may invite the attention of the members to the practice obtaining in Hyderabad. The question of representation even in the Legislature is not based upon population alone. The question of representation in public service is not based upon population alone but also on several other considerations. It may be on consideration of culture, education and other things.

PRESIDENT: The honourable member will conclude his remarks soon.

MR. M: SIVATHANU PILLAI: I wish to make it clearly understood that the present machinery is quite sound. The question of communal representation shall not be made an apportionment of the jobs between the two major communities to the detriment of minorities what ever culture they may claim to have and however much they may have tradition, service and sacrifice behind them. With these words I oppose the motion.

MR. K. P. KOCHUKORA THARAKAN: ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തെ ചില ഭേദഗതികളോടുകൂടി സ്വീകരിക്കുന്നതിന് സമ്മതമുള്ള ഒരാളാണ് ഞാൻ. പബ്ളിക്ക് സർവീസ് റിക്രൂട്ടുമെൻറു റൂൾ പ്രകാരം റൊട്ടേഷൻ അനുസരിച്ച് യാക്കോബായ സമുദായക്കാർക്ക് ൭ ഉദ്യോഗങ്ങൾ കൊടുക്കണമെന്ന് നിശ്ചയിച്ചിരുന്നത് ഇതിൽ മൂന്നായി കുറച്ചിരിക്കുന്നു. മററു സമുദായക്കാർക്കു സാരമായ കുറവുകളൊന്നും കാണുന്നില്ല. ഈഴവർക്കും നായർക്കും ഓരോ ഉദ്യോഗം വീതം കുറച്ചിട്ടുണ്ട്. കുറവുചെയ്ത മൂന്നിനെ നാലാക്കുന്നതിന് നിശ്ചയം അവതരിപ്പിച്ചിരിക്കുന്ന മാന്യന് സമ്മതമുള്ളപക്ഷം ആ വിഷയത്തിൽ എനിക്കു തർക്കമില്ല. ഈ നിശ്ചയപ്രകാരം മററു സമുദായക്കാരെല്ലാം ലാഭക്കച്ചവടക്കാരാകു

[Mr. K. P. Kochukora Tharakan.]

മ്പോൾ എന്റെ സമുദായക്കാർ മാത്രം നഷ്ടക്കച്ചവടക്കാരാകുന്നതു ശരിയല്ലല്ലോ. ഇതു ഞാൻ ഒന്നുകൂടി വിശദമാക്കാം. ൯.൭൯ ഉള്ള സിറിയൻ കത്തോലിക്കർക്ക് ൫൦,൩൩ ഉള്ള ലാറ്റിൻ കത്തോലിക്കർക്ക് ൪-ം കൊടുത്തു, അതായതു ൫.൦൯-ന് ൯ പ്ലേസു കൊടുക്കുമ്പോൾ ൩൩൭ ഉള്ള യാക്കോബാക്കാരന് ൩-ം, ൧.൪൨ ഉള്ള മാർത്തോമ്മാക്കാരന് ൧-ം ഉൾപ്പെടെ മൊത്തം ൯.൭൯-ന്, ൪ പ്ലേസുമാത്രമാണ് കൊടുക്കുന്നതു്. ഇതു യാക്കോബായ സമുദായത്തിന്റെ ഭാവിയോടു ചെയ്യു ഒരു ദ്രോഹമാകുന്നു. നാഷണൽ കാൺഗ്രസ്സിൽ യാക്കോബാക്കാരും മാർത്തോമ്മാക്കാരും ഇല്ലാതിരുന്നപ്പോഴാണു അവരെക്കൂടി സ്പർശിക്കുന്ന ഈ തീരുമാനം ചെയ്തിരിക്കുന്നതു്. അവരെക്കൂടി ചേർക്കാതെയുള്ള ഈ തീരുമാനം ഒരു എക്സ്പാർട്ടി വിധിയുടെ ന്യായം മാത്രം ഉൾക്കൊള്ളുന്നു. മറ്റുള്ളവരുടെ മഹാമനസ്കതയ്ക്കു ഇതു കുറച്ചു മ്ലാനത വരുത്തുകയും ചെയ്യുന്നു. പബ്ലിക്ക് സർവീസ് റിക്രൂട്ടുമെന്റ് സംഗതിയിൽ മാത്രം ഈ സംഗതി ഗൗനിച്ചാൽ പോരാ. കൺഫർമേഷൻ സംഗതിയിൽകൂടി പ്രത്യേകം ഗൗനിക്കേണ്ടതാണ്. ഇന്റർമീഡിയറ്റ് പരീക്ഷയിൽ പാസായി റാങ്കിൽ എട്ടാമതു നിന്നിരുന്ന ഒരു ബാർബർ നാലു മാസം ഉദ്യോഗത്തിൽ ഇരുന്നശേഷം ഇപ്പോൾ രണ്ടരവർഷമായി സർവ്വീസിൽ പ്രവേശിക്കാൻ സാധിക്കാതെ നിൽക്കുന്നുണ്ടു്. റാങ്കിൽ ൯൦-മതു നിന്നിരുന്ന ഒരു മാർത്തോമ്മാക്കാരനു ഒരു കൊല്ലത്തിനു മുമ്പു് കൺഫർമേഷൻ കിട്ടിയെന്നു മാത്രമല്ല രണ്ടു പ്രമോഷൻ കൂടി ലഭിക്കുവാൻ സാധിച്ചിരിക്കുന്നതു് പ്രവൃത്തനത്തിന്റെ വൈകല്യമല്ലെങ്കിൽ മറ്റെന്തുകൊണ്ടാണെന്നു എനിക്കു മനസ്സിലാകുന്നില്ല. ഈ നിലക്കു നോക്കിയാൽ ഇന്നത്തെ രീതിയിലുള്ള ഉദ്യോഗനിയമനം കൊണ്ടു അസമത്വസമുദായങ്ങളുടെ സങ്കടം തീരുന്നതല്ല. കൺഫർമേഷൻ സംഗതിയിൽ കൂടി വേണ്ടവിധം പ്രവർത്തിച്ചാൽ മാത്രമേ സങ്കടം തീരുകയുള്ളു. സിറിയൻകത്തോലിക്കരായി ധാരാളംപേരെ നിയമിച്ചിട്ടുണ്ടെങ്കിലും ഇപ്പോൾ സർവീസിലിരിക്കുന്നവരുടെ സംഖ്യ വളരെ കുറവാണ്. ഇതു് അസമത്വസമുദായങ്ങളെ സംബന്ധിച്ചിടത്തോളം സഹിക്കാൻ പാടില്ലാത്ത ഒരു സങ്കടമാണ്. ഇപ്പോഴത്തെ റിക്രൂട്ടുമെന്റു് അനുസരിച്ചു് ഒരാളെ എക്സൈസ് ഡിപ്പാർട്ടുമെന്റിൽനിയമിച്ചു കുറെകഴിഞ്ഞു അയാളെഫാറസ്റ്റ് ഡിപ്പാർട്ടുമെന്റിൽ അയയ്ക്കുന്നു. അവിടെ ആറുമാസം ജോലിനോക്കിയശേഷം സ്കൂളിൽ നിയമിക്കുന്നു. സ്കൂളിൽനിന്നും പിന്നീടു് പോലീസ് ഡി

പ്പാർട്ടുമെൻറിൽ നിയമിക്കുന്നു. അവിടെ ജോലിനോക്കിയതിനുശേഷം ലാൻറുറവന്യൂഡിപ്പാർട്ടുമെൻറിൽ നിയമിക്കുന്നു. ഈവക മാററങ്ങളെയെല്ലാം ആർക്കും കാൎയ്യമായി ശ്രദ്ധിക്കാൻ സാധിക്കാത്തതുകൊണ്ടു് എത്രപേരെ നിയമിച്ചു, എത്രപേർ വെളിയിൽനില്ക്കുന്നു എന്നറിയാൻ സാധിക്കുന്നില്ല. ഓരോ ഡിപ്പാർട്ടുമെൻറിലും ഒരു വർഷത്തിൽ എത്ര ഒഴിവുകൾ ഉണ്ടാകുന്നു എന്നുള്ളതിനു് ഒരു ലിസ്ററു് വരുത്തി ആ ഒഴിവുകളിൽ ആളുകളെ നിയമിക്കുന്നതിനുമുമ്പ് മററുള്ളവൎക്കു് ആശകൊടുത്തുകൊണ്ടു് നിരാശപ്പെടുത്തരുതു്. ൨൦ ആളുകൾക്കുമാത്രം ജോലി കിട്ടാൻ സൌകൎയ്യമുള്ള ഒരു സ്ഥലത്തു് ൪൦ പേൎക്കു ജോലികൊടുത്താൽ ൨൦ പേർ സൎവീസിനു വെളിയിൽ നിൽക്കേണ്ടിവരുമെന്നു മാത്രമല്ല ആറുവർഷം കാത്തിരുന്നാലും അവൎക്കു ഉദ്യോഗം കിട്ടുകയില്ലെന്നുള്ളതും നിശ്ചയമാണു്. ഓരോ ഡിപ്പാർട്ടുമെൻറിലുമുള്ള ഒഴിവുകളിൽ ഇരിക്കുന്നവരെ റൊട്ടേഷൻ അനുസരിച്ചു് പെർമനൻറു് ആക്കണം. ഒരു മാസത്തിൽ കുറഞ്ഞ പകരം ജോലിനോക്കുന്നതിനു് കുറേ വാളൻറിയേഴ്സിനെ റിക്രൂട്ടുചെയ്യണം. അങ്ങിനെചെയ്യാതെ പോലീസിൽനിന്നും എക്സൈസിൽ, എക്സൈസിൽനിന്നും ഫോറസ്റ്റിൽ എന്നമാതിരി അങ്ങോട്ടും ഇങ്ങോട്ടും മാററിമാററി നിയമിച്ചുകൊണ്ടിരുന്നാൽ അയാൾക്കു ഒരു സ്ഥലത്തെയും ജോലി പഠിക്കാൻ സാധിക്കയില്ലെന്നു മാത്രമല്ല കാൎയ്യക്ഷമത കുറവാണെന്നു ഡിപ്പാർട്ടുമെൻറു മേലധ്യക്ഷന്മാർ പറയുകയും ചെയ്യും. ഉദാഹരണത്തിനു സൎവീസുകമ്മീഷണരെ നിയമിച്ചതിനുശേഷമുള്ള സംഗതികൾ എടുത്തുപറയുകയും ചെയ്യാം. അതുകൊണ്ടു് അങ്ങിനെ ചെയ്യാൻപാടില്ല. സമുദായപ്രാതിനിധ്യം അനുസരിച്ചു് ഉദ്യോഗനിയമനം നടത്തണമെന്നു പറയുന്നവരോടു് എനിക്കു പറയാനുള്ളതു് ഒരു സമുദായം മറെറാരു സമുദായത്തെ ഭരിക്കുകയെന്നുള്ളതു് ഒരിക്കലും സുഖമായിരിക്കുകയില്ല എന്നാണു്. അതുകൊണ്ടു് പബ്ളിക്കുസൎവീസിൽ റിക്രൂട്ടുമെൻറു നടത്തുന്ന സന്ദർഭത്തിൽ സമുദായപ്രാതിനിധ്യം അനുസരിച്ചു് നിയമനം നടത്തുകയും അസമത്വം അനുഭവിക്കുന്നപ്രദേശങ്ങളിൽ അധിവസിക്കുന്ന സമുദായത്തിൽപ്പെട്ടവരുടെ അപേക്ഷകൾക്കു് അവരുടെ സമുദായത്തെ പരിഗണിക്കുമ്പോൾ പ്രാധാന്യം നല്കുകയും ചെയ്യണമെന്നാണു് എനിക്കു പറയുവാനുള്ളതു്. എന്നാൽ ആ രീതി നിർബന്ധമാക്കണമെന്നു ഞാൻ പറയുന്നില്ല. അസമത്വം അനുഭവിക്കുന്ന പ്രദേശങ്ങളിൽ അധിവസിക്കുന്ന അസമത്വസമുദായത്തിൽപ്പെട്ടവരുടെ അപേക്ഷകൾക്കു് പ്രിഫറൻസുകൊടുക്കണമെന്നേ പറയുന്നുള്ളു.

[Mr. K. P. Kochukora Tharakan.]

നാ സമത്വം അനുഭവിക്കാത്ത സമുദായങ്ങളിലെ വ്യക്തികൾ ഉൾക്കൊള്ളുന്ന ചില താലൂക്കുകൾ പബ്ലിക്കുസർവീസിനെ സംബന്ധിച്ചിടത്തോളം മോശമായി, പ്രാതിനിധ്യശൂന്യമായി കിടക്കുന്നതു കാണാം. ധാരാളം ഉദ്യോഗസ്ഥന്മാരുള്ള പ്രദേശത്തു താമസിക്കുന്ന ഒരാളും അശേഷം ഉദ്യോഗസ്ഥന്മാരില്ലാത്ത പ്രദേശത്തു താമസിക്കുന്ന ഒരാളും ഒരേതരത്തിലുള്ള പരീക്ഷായോഗ്യതകളോടുകൂടി അപേക്ഷകന്മാരായിവരുമ്പോൾ അവർ ഒരേ സമുദായത്തിൽപെട്ടവർതന്നെ ആയിരുന്നാൽ പ്രാതിനിധ്യം കുറഞ്ഞ പ്രദേശത്തു് ഉള്ള ആളെ റിക്രൂട്ടുചെയ്യണം. പ്രാദേശികപ്രാതിനിധ്യവാദം സമുദായപ്രാതിനിധ്യവാദത്തിന്റെ ശക്തി കുറയ്ക്കുവാനുള്ളതല്ല. ഒന്നു സമുദായനീതിക്കുവേണ്ടിയുള്ളതും മറ്റൊന്നു് ദേശനീതിക്കുവേണ്ടിയുള്ളതുമാകുന്നു.

പബ്ലിക്കുസർവീസ് റിക്രൂട്ടുമെന്റുകളിൽ അപേക്ഷഫാറത്തിൽ ഇന്നസമുദായത്തിൽപെട്ട ആളാണെന്നു എഴുതിയിരിക്കണമെന്നു വ്യവസ്ഥചെയ്തിട്ടുണ്ടു്. എന്നാൽ അതു പോരാ. ക്രിസ്ത്യാനികൾക്കു് ഓരോ സഭയും അതിന്റെ മേലദ്ധ്യക്ഷന്മാരും ഉണ്ടു. പരീക്ഷായോഗ്യതകളെപ്പററി വിവരിക്കുന്ന സർട്ടിഫിക്കററുകൾ ഹാജരാക്കുന്നതുപോലെ ഏതു സമുദായമാണെന്നു സഭാമേലദ്ധ്യക്ഷന്റെ ഒരു സർട്ടിഫിക്കററുകൂടി അപേക്ഷകന്മാർ ഹാജരാക്കേണ്ടതാണു്. അങ്ങിനെ ചെയ്തില്ലെങ്കിൽ തീർച്ചയായും ചില സമുദായക്കാരെ അതിലെ ചില വിഭാഗക്കാർക്കു് കളിപ്പിക്കാൻ സാധിക്കുന്നതാണു്.

MR. PADIYARA JOSEPH KUNJU: പ്രാതിനിധ്യംകുറഞ്ഞ പ്രദേശങ്ങളെ വേർതിരിക്കേണ്ടതു തെക്കുപടിഞ്ഞാറായിട്ടോ അതല്ല താലൂക്കു, ഡിവിഷൻ എന്ന നിലയിലോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

MR. K. P. KOCHUKORA THARAKAN: ഏതു നിലയിൽ ഭാഗിച്ചാലും തരക്കേടില്ല. ഉദ്യോഗം കുറവുള്ള പ്രദേശത്തുള്ളവരെ നിയമിക്കണമെന്നേയുള്ളു. മെമ്പർക്കു് അതിനെപ്പററി കൂടുതലായ വല്ല അഭിപ്രായവും ഉണ്ടെങ്കിൽ—അതു് ന്യായമാണെന്നു തോന്നുന്നു എങ്കിൽ—അതിനുള്ള നിർദ്ദേശം തരാമല്ലോ. ന്യായമാണെങ്കിൽ ആ നിർദ്ദേശം ഞാൻ സന്തോഷപൂർവം സ്വീകരിച്ചുകൊള്ളാം. തലസ്ഥാനനഗരിയിൽനിന്നും അകലുന്തോറും പ്രാതിനിധ്യത്തിനു കുറവുണ്ടാകുമെന്നു് വിശ്വസിക്കുന്നവനാണു ഞാൻ. അതിൽ എക്സെപ്ഷൻ ഉണ്ടാകാം.

ഒരു സമുദായത്തിൻറ പേരുംപറഞ്ഞു മറെറാരു സമുദായത്തിനെ ചതിക്കുന്നതിനുള്ള സൗകര്യം കൊടുക്കാൻ പാടുള്ളതല്ല. അങ്ങിനെ ചെയ്യുന്നവരെ കണ്ടുപിടിച്ചാൽ അവക്ക് ഒരിക്കലും ഉദ്യോഗംകൊടുക്കാൻ പാടില്ല. ഈ കാര്യം ഗവർമ്മെൻറ് പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതാണ്.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavancod*) : ഒരു സമുദായത്തിൽ എത്ര കാലം ഉൾപ്പെട്ടിരുന്നാൽ ആ സമുദായത്തിൽപെട്ട ആളാണെന്നു പറയാം?

MR. K. P. KOCHUKORA THARAKAN : മൂന്നോ നാലോ വർഷം ഒരു സമുദായത്തിൽപെട്ടിരുന്നതുകൊണ്ടു മാത്രം ഒരാളെ ആ സമുദായാംഗമായി കരുതാൻ സാധിക്കുകയില്ല.

ഏതായാലും ഒരു സമുദായത്തിന് മറെറാരു സമുദായത്തിൻറ പേരിൽ ഉദ്യോഗം വാങ്ങിക്കുന്നതിനുള്ള സൗകര്യം ഇല്ലാതാക്കേണ്ടതു് അത്യാവശ്യമാണ്.

പബ്ലിക്കസർവീസിലുള്ള അസമത്വസമുദായങ്ങളുടെ സങ്കടങ്ങളെപ്പററി നിയമസഭയിൽ ധാരാളം ഭൂരിപക്ഷമുള്ള പാർട്ടിലീഡർ, വളരെ സാവകാശമായി ആലോചിച്ച് ഏതാണ്ടു മിക്ക സമുദായങ്ങൾക്കും അംഗീകരിക്കാൻ മനസ്സുവരത്തക്കവിധം എന്നു പറയാവുന്ന ഈ റസല്യൂഷൻ അവതരിപ്പിച്ചിരിക്കുന്നു. ഇതിനുവേണ്ടി ശ്രീമാൻ പത്മനാഭപിള്ള അവർകളെ ഞാൻ അഭിനന്ദിച്ചുകൊള്ളുന്നു. പബ്ലിക്കസർവീസ് കമ്മീഷണറായി ഒരു യൂറോപ്യൻ വേണ്ടെന്നു പറയുന്നതിനെ ഞാൻ ശക്തിയായി എതിർക്കുന്നു. പ്രബലസമുദായത്തിലൊ ദുർബലസമുദായത്തിലൊ ഉള്ള ആരെയെങ്കിലും കമ്മീഷണരായി നിയമിച്ചിരുന്നു എങ്കിൽ ഇന്നത്തെ നിയമസഭയിൽ വരുന്ന ചോദ്യങ്ങളുടെ എണ്ണം എത്ര വിപുലമായിരിക്കുമെന്നുള്ളതു് ഊഹിക്കാവുന്നതാണ്. അദ്ദേഹം നീതിമാനും സത്യസന്ധനുമാണെന്നുള്ളതിന് സംശയമില്ല. പക്ഷെ അദ്ദേഹത്തിനു അബദ്ധം പററിപ്പോകുന്നു. പക്ഷെ അതു് അദ്ദേഹത്തിൻറ ആഫീസ് സ്റ്റാഫിൻറ കുററംകൊണ്ടോ അല്ലെങ്കിൽ അദ്ദേഹത്തിൻറ പരിചയക്കുറവുകൊണ്ടോ ആയിരിക്കാം. എന്നാൽ അദ്ദേഹം ചെയ്യേണ്ട ജോലി അദ്ദേഹംതന്നെ ചെയ്യണം. അബദ്ധം വരുന്നതു് മറെറാരാളിൻറ തെററുകൊണ്ടാണെന്നു സമാധാനം പറയാൻപാടില്ല. എൻറ സമുദായത്തിൽപെട്ടവക്ക് ലഭിക്കേണ്ട ഉദ്യോഗത്തിൽ കൂടുതൽ

[Mr. K. P. Kochukora Tharakan,]

കിട്ടിയിട്ടുണ്ട്. പ്രധാനപ്പെട്ട പല സമുദായക്കാരേയും അവഗണിച്ച് പ്രവർത്തിച്ചിട്ടുമുണ്ട്. അതിനെ നീതീകരിക്കാൻ ഒരിക്കലും നിവൃത്തിയില്ല. പക്ഷെ അങ്ങിനെ പ്രവർത്തിച്ചതു് മനഃപ്പൂർവമല്ലായിരിക്കാം. ഈ ദോഷം തീർക്കുവാൻ പബ്ളിക്കുസർവീസ് കമ്മീഷണരെ സഹായിക്കുന്നതിന് വിവിധ സമുദായങ്ങളുടെ പ്രാതിനിധ്യമുള്ള ഒരു അഡ്വൈസറികമ്മററിയെ നിയമിക്കുന്നതു് നന്നായിരിക്കും. റൊട്ടേഷൻസ്കീമിൽ പബ്ളിക്കുസർവീസ് കമ്മീഷണർ വരുത്തിട്ടുള്ള റൂൾസുകളെ വ്യത്യാസപ്പെടുത്തേണ്ട ആവശ്യമില്ല. ജനസംഖ്യയനുസരിച്ച് എല്ലാവർക്കും പ്രാതിനിധ്യം കൊടുക്കുന്നതുകൊണ്ട് വിരോധമില്ല.

MR. KAINIKKARA M. PADMANABHA PILLAI: ജനസംഖ്യയനുസരിച്ച് കിട്ടേണ്ടതിൽ കൂടുതൽ വേണമെന്നുണ്ടോ?

MR. K. P. KOCHUKORA THARAKAN : ഇല്ല. ചില സമുദായക്കാർ അതിൽ കൂടുതൽ അർഹിക്കുന്നുണ്ടെന്നു ബോദ്ധ്യപ്പെട്ടശേഷം അതിനെപ്പററി വ്യവസ്ഥചെയ്യാം.

MR. KAINIKKARA M. PADMANABHA PILLA[I]: ഏതെങ്കിലും സമുദായക്കാരുടെ ജനസംഖ്യയനുസരിച്ച് കിട്ടേണ്ടതിൽ കൂടുതൽ കിട്ടണമെന്നു മെമ്പർക്ക് അഭിപ്രായമുണ്ടോ?

MR. K. P. KOCHUKORA THARAKAN : കൂടുതൽ വേണ്ട. ജനസംഖ്യയനുസരിച്ച് കിട്ടാനുള്ള അവകാശം ശരിക്ക് ഒരുത്തന്റെയും മററാരുത്തരെ പോകാതെ കിട്ടണമെന്നേയുള്ളു. ഈ തത്വം ആസ്പദമാക്കിയുള്ള ഏതൊരു അഭിപ്രായത്തേയും, പരിഷ്ക്കാരത്തേയും ആർക്കും എതിർക്കുവാൻ സാദ്ധ്യമല്ല. എന്റെ നിർദ്ദേശങ്ങൾ ബഹുമാനപ്പെട്ട അവതാരകൻ അതർഹിക്കുന്ന ഗൗരവത്തോടുകൂടി ചിന്തിക്കുമെന്നു വിശ്വസിക്കുന്നു.

MR. C. JEBAMONY NADAR : Sir, I regret that I am unable to agree with the resolutions moved by my honourable friend. To substantiate my position, I would refer to resolution six on page 3. "An E. S. L. C. holder, to be appointed as teacher, should have obtained a minimum of 45% marks in English, *Malayalam* and Arithmetic, having a grand total of 150 marks". Thus, a Tamilian is excluded from appointment under this clause. I take it therefore that the claim of the Tamilians could not have been considered by the framers of these resolutions. Then again, I have to say that my honourable friends of the national party have even forgotten me, though they have put this paper into my hands

for my acceptance, without including in it the S. I. U. C. community. I do not find the name of the community mentioned anywhere in this paper. It is how this "white" paper is put into my hands. That is a strong reason for me to reject that paper. Similarly, another provision appears to be equally injurious. I mean resolution No. 14. It reads thus—"There shall also be an advisory committee consisting of not more than six non-official members, consisting of a Nayar, an Ezhava, a backward class Hindu, a Catholic, a non-Catholic and a Muslim, to advise the Commissioner". A Catholic is specifically mentioned in this paper. I have no complaint with that. But I do not see a place being being given to a Protestant Christian. A non-Catholic may mean anybody, Hindu or Muslim. Thus, the Tamilian, the S. I. U. C. Christian, and the Protestant are all ignored. These are some of the reasons which weigh with me in not accepting these resolutions.

Similarly, regarding the Nair-Ezhava Conference conclusions, I do not know how the words "Caste Hindu" find a place even after the memorable Temple Entry Proclamation. Let me also refer to the last paragraph of the conclusions reached by them—

> "The question of admission to the Devaswom Department of members of the Hindu Communities till now excluded from that department was raised by the Ezhava members of the conference. The position of the Nair members was that they could agree to the proposal only if the question of the voting system was settled by mutual agreement in a manner conducive to Hindu solidarity and the general question of the organisation of the Hindu Community was satisfactorily solved".

Here again I have to remark with regret the exhibition of a pre-Temple Entry mentality. If there is such difference between members of the same religion, I do not see how a classification of the communities on the basis of religion is justifiable. If I remember right, in the last Census Report there is a clear observation that in Travancore it will not be possible to classify the communities on the ground of religion. If the Hindu communities cannot mutually agree amongst themselves as to the equality of their status I do not see the force of the resolution grouping them as one body.

Another resolution demands that grant-in-aid Pharmacies and Vaidyasalas and private schools should be included in Public Service" etc.

If the appointments in the Devaswom Department are to be confined to particular sections of the Hindu community and not open to all of the members of the Hindu fold, I do not see any reason or justice when they come forward for appointments as of right in institutions owned and managed by non-Hindus.

These are some of my reasons for discarding the two sets of resolutions on the basis of which my honourable friends of the National party intend to alter the existing Public Service Commission Rules.

In the matter of grouping, what I wish to say is that in view of the fact that we are going to have a census very soon, it would be better to wait till then. Under the existing rules communities having a population

[Mr. C. Jebamony Nadar.]

of a lakh and over as per the Census of 1931 are treated as separate communities. The data for the future rules should not be based on what existed 10 years ago. In my view no case for a new grouping is made out. Any change in this direction is not suggested by the Public Service Commissioner. So I oppose the proposed classification.

So far as the division of public service is concerned, I think the present system may be continued. I am not for further sub-dividing the service into ministerial and other sub-divisions. My submission is that the principle of communal representation must be applied to all grades of services. It is true that no charge could be levelled against the present Commissioner. Yet, the results of recruitment are not satisfactory. That is more or less proved by the unchallenged evidence provided by the "Letter Box" columns of a Trivandrum daily known as the 'Bharathi' where statistics are given. Let me refer to one of the latest. In the issue of "Bharathi" dated January 17, 1940, it is recorded thus:

ഹജ്ജൂർ സെക്രട്ടറിയേററ്.

സെക്രട്ടറിമാർ, അസിസ്റ്റൻറ് സെക്രട്ടറിമാർ, സൂപ്രണ്ടന്മാർ, ബിരുദധാരികളല്ലാത്ത ക്ലാർക്കുകൾ, പ്യൂൺസ് എന്നിവരുടെ ജാതിതിരിച്ചുള്ള പട്ടിക.

ബ്രാഹ്മണർ	൨൬
നായന്മാർ	൧൦൪
വിശ്വകർമ്മർ	൧
നാടാന്മാർ	൦
ഈഴവർ	൮
പുലയർ	൧
മററുഹിന്ദുക്കൾ	൧൩
മുസ്ലീങ്ങൾ	൩
ജേക്കബൈററ്	൪
മാർത്തോമ്മാ	൨
സിറിയൻകത്തോലിക്ക്	൧
ലാററിൻകത്തോലിക്ക്	൦
എസ്. ഐ. യൂ. സി	൨
മററുക്രിസ്ത്യാനികൾ	൧൦

അന്യമതസമുദായങ്ങളിൽ നാടാർ, ലാററിൻക്രിസ്ത്യൻ, എന്നിവരിൽ ആരുംതന്നെയില്ല. വിശ്വകർമ്മർ, പുലയർ, ഈഴവർ, മുസ്ലീ

മിഷനും, എസ്. ഐ. യു. സി. എന്നിവക്ക് ഇല്ലോം കുറവായ പ്രാതിനിധ്യമേയുള്ളുവെന്നും കാണാം.”

This is how we stand after three years and this is what has been achieved. There is no progress, nor does it show that the vexed problem of communal representation has been solved. Practically the grievance exists as it existed 3 years ago.

MR. T. C. KESAVA PILLAI : സ്ത്രീവാദ്ധ്യാന്മാരുടെ എണ്ണം എത്രയാണെന്ന് ഇതിൽ പറയുന്നുണ്ടോ?

MR. C. JEBAMONY NADAR : I do not understand the relevancy of the question. I am only referring to a particular department wherein teachers cannot come in.

MR. T. C. KESAVA PILLAI : ഇംഗ്ലീഷ് സ്കൂളുകളിൽ പഠിപ്പിക്കുന്ന സ്ത്രീവാദ്ധ്യാന്മാരുടെ കണക്ക് എത്രയാണെന്ന് അറിയാമോ? അതു വായിച്ച ഭാരതപത്രികയിൽ പറഞ്ഞിരിക്കുന്നോ?

MR. C. JEBAMONY NADAR : I am referring to "Bharathi" and not to "Bharatha Patrika" Daily. It gives statistics of the appointments in various departments. If my honourable friend would daily read that paper he will understand. Again the question is irrelevant.

Even according to the view of the National Congress party, out of 51 places Nayars should get only 31. But they have 104. This department I referred to as illustrative of the rest. This is clear proof of over-representation. Now let us see the operation of the rule of rotation put forward by the National party. According to it four more Nayars must be employed before a Nadar could come in. The list just read shows that there are 104 Nayars instead of the legitimate number 31 and that there is not even a single Nadar though nine of them ought to have been there. This is how the question is attempted to be solved by the National party. In other words, an unrepresented community must wait till another over-represented community gets more places. That, I submit, clearly shows that this rotation list is also not acceptable. As far the S. I. U. C. is concerned, it was getting two places before, and now it has only one. I may ask what right has my honourable friend to reduce thus the number without even extending to them the courtesy of hearing them in the matter. Sir, it is clear law that the decision of even a legally constituted tribunal is void under such circumstances. Now, the Nayar community which has a population of about 8 lakhs and 68 thousand gets 9, while the S. I. U. C. community which has a population of a lakh and 38 thousand gets only one. That shows that the principle underlying allotment of seats is fundamentally defective. A majority community, over-represented in public service, is seen to get something more than what it could legitimately get on population basis. But an inadequately represented minority community is losing even what it is entitled to get. Thus, the calculation is highly detrimental to the interests of the minority communities.

PRESIDENT: Order, order. The honourable member has two minutes more.

MR. C. JEBAMONY NADAR: Suppose we fix that one seat should be allotted to every 50 thousand then the minority communities need not have to lose and there could be better justice. I believe the honourable members would realise that position as thereby a good many minority communities would have a right of representation.

I will also very strongly urge for communal parity to as many communities as possible and that is necessary for better communal harmony. Now we have got reservation regarding the Intermediate Division. Let the less represented communities be given this concession in all grades of public service. Government may also be given powers to appoint members of those communities which are insufficiently represented. We could also stop further appointments to over-represented communities for a particular period. In fact, certain communities which were over-represented in public service continue to be so even at present. So far as the future is concerned, one may hope that everything will be alright. But what about the existing inequality? I hope that Government will and must remedy this so that justice may be done to all alike. For this we must find out a solution. My submission is that it can be attained easily, with an amount of determination which the matter deserves. Those communities which are inadequately represented..........

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I have great pleasure in supporting the resolution moved by my honourable friend Mr. Kainikkara Padmanabha Pillai. Time was, Sir, when this question was considered to be the most important of all questions. Newspapers from one end of the country to the other, discarding everything else, were crying themselves hoarse on the question of the representation of the many different communities in our State in the public service. Public platforms were deluded with speeches in season and out of season and the same subject was agitated upon *ad nauseum*. And I remember the first budget session of this Assembly where the atmosphere was so surcharged with communal bickerings and communal animosities that many important issues were let go by default. And it is really satisfactory to note that today we are facing the country in an entirely different atmosphere. Nothing is more satisfying than to hear the honourable member Mr. K. R. Narayanan congratulating the hononourable member Mr. Kainikkara Padmanabha Pillai on the proposals placed before the House. If, Sir, our memory is not short, we could recall with what bitterness that honourable member Mr. K. R. Narayanan abused other members who are supposed to have vested interest in the matter of public service. Happily those days are gone and I believe, Sir, I will not be out of place, if I pay my humble tribute to the Dewan—President in helping

to bring about this atmosphere. Well, Sir, the strife was at its height when Government appointed the Public Service Commissioner. I am glad to say, and I think that every member will agree with me, that the Public Service Commissioner has discharged his duties with great impartiality and tact. I have not listened to one member here who has not paid him tribute for his impartiality and he was also supported in doing this onerous duty by the Government. Now, Sir, this resolution is a necessary corollary to the Public Service Recruitment Rules I am not going into details, but I wish to point out the essential features of the resolution. One notable achievement of this resolution is that it concedes, and concedes magnanimously and willingly, a proposition which was put forth very vehemently, in season and out of season, by the unrepresented communities. That is, it has conceded now that population may form the basis of public service. I understand, Sir, and I have been reading all the literature about it, that that was the fundamental basis on which these communities were fighting for a number of years. Sir, I was listening to Mr. Sivathanu Pillai and Mr. Nadar. The house will see that those gentlemen belong to communities which in any case, even if this principle is accepted, will not be enabled to be represented in sufficient numbers in the public service. Therefore, their opposition, I submit, is a great tribute to the magnanimity of the policy enunciated in the joint delclaration.

MR. M. SIVATHANU PILLAI: Is it the case that because they were majority communities they propounded this theory of population basis?

MR. K. G. KUNJUKRIHNA PILLAI: No, Sir. There must be some principle on which to act.

MR. M. SIVATHANU PILLAI: May I know, Sir, whether the member will be pleased to recollect my remarks regarding the nature of service in Hyderabad?

MR. K. G. KUNJUKRISHNA PILLAI: Sir if a neighbouring State is erring' it is no reason why we should follow suit. On the other hand, my friend Mr. Sivathanu Pillai would himself admit that with regard to recruitment to the public service the agitation has all along and throughout been that there should be the recognition of the principle of recruitment on population basis. I appreciate the courage of the question of my friend but it is not certainly supported by facts. I challenge him to show me even a single instance during the last 12 years where any community which was not represented was not clamouring for communal representation. I certainly very much appreciate Mr. Sivathanu Pillai's efforts at this stage. If in a vexed question like this we must agree, it must be on some principle and the principle, that I hope is acceptable, is the principle of representation on a population basis. The difficulty would certainly arise in particular instances and particular communities and Mr. Sivathanu Pillai is quite right in saying that tradition, culture and status in the country will have to be considered. I submit, Sir, that nothing stands in the way of those things

[Mr. K. G. Kunjukrishna Pillai.]

being considered. We only lay down a principle for action. The paramount consideration shall be the numbers, or the number of people in each community. I submit that is a very great advance that has been made. I do not know whether it has been accepted in Hyderabad but, I know that it has been accepted practically by the Madras Government, by the Government of India and by the Cochin Government. Anyway, Sir, that is a matter on which, at any rate, 90 per cent. of the communities will be agreed.

Another important feature of this scheme is that eventhough this principle of communal representation on population basis is accepted, actual efficiency is not sacrificed. For that the resolution itself recognises that there must be civil service test examinations for insuring efficiency, high intelligence and such other qualifications which could only be acquired by training. Here is a resolution which combines in itself the communal principle and the efficiency principle. I submit, Sir, that the scheme may have its defects. It may be found to be unsatisfactory in particular details. But when it is worked, it will be found to be extremely satisfactory.

MR. M. SIVATHANU PILLAI: May I know from the member whether the principle of communal representation may be applied as regards appointment of Munsiffs as it is found in the resolution?

MR. K. G. KUNJUKRISHNA PILLAI: I, for one, was personally not for it. I submit, Sir, that when we have got two different aspects of view to consider, that view which is conducive to the greatest harmony must be accepted. I submit, Sir, that we shall not be the losers by conceding the principle of communal representation in so far as it satisfies a large section of the population. As a matter of fact, there are many individuals belonging to all the different communities who are competent to be recruited to the Munsiff's grade. That is my answer to the question.

To proceed further, the whole question now will depend not upon this resolution but upon how it is worked. In everything you may work according to the letter of the law but break the spirit or you may work according to the spirit of the law but you may not observe the letter of the law. I believe there is ample evidence of the earnestness of Government and of the communities which have been accused of holding a major portion of the appointments to see that complete harmony is restored at least in the working of these matters hereafter. May I, Sir, put forth a plea to all the communities here. To those communities who may rightly feel aggrieved I say—here is a chance for you, which, if worked properly, will remove all your grievances. To those communities who feel that what they were in possession of is being slowly taken away from them, I say—after all, the prosperity, the progress, the well-being and the good feeling among the different sections of the communities is very much greater than a number of posts lost in gaining that particular end. Therefore I most earnestly appeal to all the sections of the House to sponsor this resolution which

contains essentially and distinctly the best elements with regard to efficiency and with regard to satisfying the minority communities. If you work it out in a spirit of cordiality there is no doubt that this vexed question will be solved for ever and it will redound to the credit of this Legislature and to its glory that Travancore at least has solved this question. Therefore, Sir, I have very great pleasure in supporting this resolution which has been moved by Mr. Kainikkara Padmanabha Pillai.

Mr. P. C. ADICHAIN : ബഹുമാനപ്പെട്ട പല മെമ്പറന്മാരും ഈ പ്രമേയത്തെപ്പററി സംസാരിച്ചിരിക്കുന്നു. അതിൽ കൂടുതലായി ഒന്നുംതന്നെ പറയണമെന്നു വിചാരിക്കുന്നില്ല. ഇപ്പോൾ നിലവിലിരിക്കുന്ന പബ്ളിക്ക്സർവീസ് ചട്ടങ്ങൾ അനുസരിച്ച് അവശസമുദായത്തിൽ പെട്ടവർക്ക് മുൻഗണന നൽകുന്നുയെന്നു ഗവർമ്മെൻറ് പ്രസ് കമ്മ്യൂണിക്ക് മുഖേനയും പബ്ളിക്ക്സർവീസ് റിക്രൂട്ടുമെൻറ റൂൾസുമുഖേനയും അറിയുന്നുണ്ട്. ഇവിടെ അനവധി ജാതികൾ ഉള്ളതുകൊണ്ട് എല്ലാവരുടേയും യഥാർത്ഥസ്ഥിതിയെപ്പററി മിക്കഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷന്മാർക്കും അറിയാൻ സാധിക്കും. കാരണം അവർ നാട്ടുകാരാണു. വിശേഷിച്ചും പബ്ളിക്ക്സർവിസ് കമ്മീഷണർക്ക് അവശസമുദായങ്ങളുടെ സ്ഥിതിയെപ്പററി അറിയാൻ പാടില്ല. അങ്ങിനെ അറിയാൻ പാടില്ലാത്തത് അദ്ദേഹത്തിൻെറ കുററം കൊണ്ടല്ലായിരിക്കാം. ൨൦൦ പേർക്ക് സദ്യകൊടുക്കുമ്പോൾ ൯൫ പേർക്ക് പരിപ്പും പർപ്പടകവും പായസവുംകൂട്ടി ചോറുകൊടുക്കയും ൫ പേർക്ക് ഒന്നും കൊടുക്കാതിരിക്കയും ചെയ്യുന്നുവെന്നിരിക്കട്ടെ. അയൽ വാസിയായ ഒരാൾ വന്ന് അടിയന്തിരം കേമമായിരുന്നോ എന്നു ചോദിച്ചാൽ കേമമായി എന്നു പറയും. പക്ഷെ പട്ടിണി കിടന്നവർക്കറിയാം അവരുടെ കാര്യം. ഇതുപോലെയാണ് ൯൫ എന്നും ൨൦൦ എന്നും മററുമുള്ള കണക്കുകൾ പറയുന്നുവെങ്കിലും ഒന്നും കിട്ടാത്ത സമുദായക്കാർ വിഷമിക്കുന്നതു. ഈ സന്ദർഭത്തിൽ ഞാനുൾപ്പെട്ട സമുദായത്തെപ്പററി പറയാം. ഒരുലക്ഷത്തോളം വരുന്ന കുറവസമുദായത്തിനു മുൻഗണന അനുസരിച്ച് എത്ര കൊടുത്തു എന്ന് ഞാൻ ചോദിച്ചിരുന്നു എങ്കിൽ ഇതിനെക്കുറിച്ച് അദ്ദേഹത്തിനു ഒരക്ഷരം പറയാൻ സാധിക്കുകയില്ല. അതുകൊണ്ട് കുറവസമുദായത്തെക്കുറിച്ച് അദ്ദേഹത്തിനു യാതൊരു പരിജ്ഞാനവുമില്ലെന്നു ഞാൻ പറയുന്നു എങ്കിൽ അദ്ദേഹം അതിനെ ക്ഷമിക്കുമെന്നു വിശ്വസിക്കുന്നു. കുറവസമുദായത്തിൽ നിന്നും രണ്ടുപേർ ഹയർ പരീക്ഷ പാസ്സായിട്ടുണ്ട്. മുൻഗണന കൊടുത്തിരുന്നു എങ്കിൽ അവർക്ക് ഉദ്യോഗം ലഭിക്കുമായി

[Mr. P. C. Adichan.]

ണ്ടു. ഏഴാംക്ലാസ്സ് പാസായിട്ടുള്ളവർ ഏഴെട്ടുപേരുണ്ട്. ഇപ്പോഴും നിലവിലിരിക്കുന്ന രീതിയെ ഭേദപ്പെടുത്തി ഒരു പ്രമേയം ഇവിടെ അവതരിപ്പിക്കുന്നതിന് കാരുണ്യമുണ്ടായതിലും ഏററവും അവശത അനുഭവിക്കുന്ന കുറവസമുദായത്തെ പട്ടികയിൽ ചേർത്തതിനും ഞാൻ നാഷണൽ കാൺഗ്രസ് പാർട്ടി ലീഡർ ശ്രീമാൻ മി. കൈനിക്കര പത്മനാഭപിള്ള അവർകളെ അഭിനന്ദിച്ചു കൊള്ളുന്നു. പക്ഷെ ഇതു ഫലവത്തായിത്തീരണമെങ്കിൽ ഗവർമ്മെൻറുംകൂടി വേണ്ട വിധത്തിൽ സഹായിക്കണം. ഉദ്യോഗനിയമനവിഷയത്തിൽ പബ്ളിക്കസർവീസ് കമ്മീഷണരെ സഹായിക്കുന്നതിന് ഒരു അഡ്വൈസറിബോർഡ് വേണമെന്നു പ്രമേയത്തിൽ പറഞ്ഞിരിക്കുന്നത് ചാരിതാർത്ഥ്യജനകം തന്നെ. അവശസമുദായങ്ങളെക്കുറിച്ച് കമ്മീഷണർക്ക് പരിജ്ഞാനം കുറവാണെങ്കിൽ ബോർഡിലുള്ളവർക്ക് വേണ്ട പരിജ്ഞാനമുണ്ടായിരിക്കും. പൊതുവെ സകല ജാതിക്കാരുടേയും ഉദ്യോഗവഴക്കിനെ തീർക്കത്തക്കവണ്ണമുള്ള ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. M. G. KESAVA PILLAI (*Trivandrum Town*). Sir, representation in the public services and division of seats in the Legislature between the different communities in the State have been the subjects for agitation for a very long time now. I have the good fortune or the misfortune to belong to one of the communities that has been accused of holding a major portion of the posts, in the services. I remember an incident that took place, some 21 years ago, when there was an anniversary meeting of a school association. I happened to be one of the speakers on that occasion and the other speaker was a great exponent of the movement then called പൌരസമത്വവാദം. The subject on which he was to speak was War. It was the time of the great European war and we expected from him an interesting account of the war. But when he rose up to speak he was not speaking of the war between nations but of that between 8 lakhs and 25 lakhs of people in Travancore. The number of interpellations that come up for answering in every session of this Assembly shows that this question is still being agitated. Sometime ago the Government thought of doing something in the matter. They formulated certain rules and appointed a Service Commissioner to work out the rules. Yet, it has not given satisfaction to the people.

It seems as if they have not been worked to the satisfaction of the different communities. There are many complaints in the method of working them. It may be conceded that there may have been defects at the time of the framing of the rules. In every such case it is only by the actual working of the rules the defects or otherwise could be appreciated. Many members have expressed the idea that adequate representation has not been given to all minorities alike.

The three years' period for which the measure was adopted has come to a close and the question of its further working has been brought before us in all its aspects. Considering the complicacy involved in the matter I have great pleasure in supporting the motion moved by my friend Mr. Kainikara Padmanabha Pillai. I am glad to express that it recognises one important factor, namely, that it recognises population basis for future recruitment in service. It is a measure calculated to bring about harmony between community and community, which have been fighting with each other for long. With these words, I support the motion.

MR. N. VELU ACHARI : സർ, പബ്ലിക്ക്സർവീസ് പ്രാതിനിധ്യത്തെപ്പററിയും അസംബ്ലിയുടെ അനുമതിക്കായി അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയങ്ങളെ സംബന്ധിച്ചും അധഃസ്ഥിതിയിലാണ്ട് അവശരായ ജനവിഭാഗത്തിൽ ഏററവും ദയനീയമായ വിശ്വകർമ്മ സമുദായത്തെ പ്രതിനിധീകരിക്കുന്ന ഞാൻ ബഹുമാനപ്പെട്ട ഗവർമ്മെൻറിൻേറയും ഈ മഹാസഭയുടേയും ശ്രദ്ധക്കായി ചിലതു് അറിയിച്ചുകൊള്ളട്ടെ.

ഒന്നാമതായി ഈ സർവ്വീസിൽ നിലവിലുള്ള അസമത്വം ഇന്നും ഇന്നലേയും ഉണ്ടായതല്ല. ബഹുമാന്യനും അതിസമർത്ഥനുമായ ദിവാൻ പ്രസിഡൻറ് അവർകളുടെ കാലത്തുമല്ല. അതിനുള്ള കാരണം ഒരുകൂട്ടം പ്രബല സമുദായക്കാർ അവശവർഗ്ഗക്കാരെ വിദ്യാഭ്യാസം ചെയ്യാൻപോലും സ്കൂളുകളിൽ പ്രവേശിപ്പിക്കാതെ അകററിനിറുത്തിയതാണ്. എന്നാൽ കരുണാനിധിയായ മഹാരാജാവ് തിരുമനസ്സിലെ കാരുണ്യാതിരേകത്താൽ സകലർക്കും പഠിക്കുന്നതിനും ഉദ്യോഗം ഭരിക്കുന്നതിനും സൗകര്യമുണ്ടാക്കി. പക്ഷെ സമസൃഷ്ടിസ്നേഹമില്ലാത്ത ചില പ്രബല സമുദായാംഗങ്ങളിലെ ഡിപ്പാർട്ടുമെൻറ് മേലദ്ധ്യക്ഷർ അവശലക്ഷങ്ങളിലെ വിദ്യാസമ്പന്നരായ അപേക്ഷകന്മാരേയും അകററിനിറുത്തിയിരിക്കുന്നു.

എന്നാലിപ്പോഴാവട്ടെ അവശക്കുദയമരുളുന്ന തിരുമനസ്സിലെ ഗവൺമെൻറ് സർവ്വീസ് വീതിച്ചുകൊടുക്കാൻ ചട്ടമുണ്ടാക്കി. ആ ചട്ടം എത്രത്തോളം പാലിച്ചിട്ടുണ്ടെന്ന് ഇവിടെ തെരുതെരെ ചോദിക്കുന്ന ചോദ്യത്തിന് കിട്ടുന്ന ജാതിപട്ടികയിൽ തന്നെ വിശ്വകർമ്മരെ ചില സ്ഥാനങ്ങളിൽ തീരെ അവഗണിച്ചതായികാണാം. ഇങ്ങനെയുള്ള അസമത്വങ്ങളും വിഷമതകളും പരിഹരിക്കാനായിരുന്നു കമ്മീഷണരെ നിയമിച്ചതു്. അദ്ദേഹം ശേഷിമാനും നീതിമാനുമാണെങ്കിലും ഈ വിഷയത്തിൽ നീതിനടത്താൻ സാധിക്കാതെ പോയതെന്താണെന്ന് അറിയേണ്ടിയിരിക്കുന്നു.

ഈ നിയമനംകൊണ്ട് ആശിച്ചിരുന്നതുപോലെ ഗുണമുണ്ടായില്ല.

PRESIDENT : I should like to see, if possible that the general discussion on this matter closes before the adjournment motion is begun. Therefore, I shall allow the honourable member who is on his legs two minutes more and call upon two other honourable members as well as the mover so that by half past three the whole discussion could be over.

MR. N. VELU ACHARY : സർ, എന്റെ അറിവിൽപെട്ടിടത്തോളം അദ്ദേഹം ഒരു ഇംഗ്ളീഷ്കാരനായതുകൊണ്ട് ഈ നാട്ടിലെ വിവിധ ജാതികളേയും മതങ്ങളേയും ഉപവിഭാഗങ്ങളേയും അവരുടെ വാസ്തവമായ ദുരവസ്ഥയും അവശതയും അദ്ദേഹം അറിയാത്തതുകൊണ്ടോ അറിയപ്പെടാത്തതുകൊണ്ടോ അവശരദ്ദേഹത്തെ അറിയിക്കാത്തതുകൊണ്ടോ ആണ് അവശവർഗ്ഗക്കാരുടെ അവശതയ്ക്ക് പരിഹാരമുണ്ടാക്കാതെപോയതെന്ന് വിചാരിക്കേണ്ടിയിരിക്കുന്നു. ഏതായാലും എന്റെ വിനീതമായ അഭിപ്രായം വിശ്വകർമ്മ സമുദായത്തിന്....

MR. KANNANTHODATH JANARDANAN NAIR : Sir, the question of recruitment to public services looms large on the political and economical horizon of the State. The advocates of adequacy of representation put forward the argument that because public money is being spent towards remuneration, in Public Services every community should get its due share. Government also, to some extent, seems to have conceded that point of view. For this reason, rules relating to recruitment to public services were brought into operation. It is most unfortunate that the working of the rules for a period of over two and a half years, instead of smoothening communal bitterness, has only aggravated the existence of inter—communal strife. So, it is suggested that the rules require some modification. Whether the working of the present rules have brought failure or success, nobody has remarked anything definitely. But there seems to be a difference of opinion in regard to this matter.

Many arguments were put forward as regards representation in the services. People of the majority communities say that recruitment should be made on the basis of population; the minority communities, forward in literacy, say that it should be on a literacy basis; some others say that it should be religion-war and a few others opine that there should be a furthtr caste-war distribution of appointments. There is yet another group who say that the principle of territorial representation should be accepted. These arguments, taken one by one, represent only one side of the problem. We have also seen how none of these can be the abiding factor in the matter of equitable representation in the public services. Under these circumstances, I think the best measure that can be adopted is the policy underlying the resolution moved by my friend Mr. Padmanabha Pillai yesterday. It has got two advantages. One is that there is chance for all communities getting their due share. The other is that, when a suitable candidate is not forthcoming from a particular minority community, a candidate from another community, but under the same religion, will be getting that appointment,

Now a word about the report proper presented by the Public Service Commissioner. Some hold that the Public Service Commissioner has failed in his attempts to satisfy the minority communities' legitimate share of appointments in the service. But I assert that he has succeeded in working out the rules very equitably. The object for which the rules were intended has been fully achieved under the hands of the present Public Service Commissioner. He has been able to minimise disabilities and inequalities of the unrepresented communities in service. He has been able to give them proportionate representation in the services and, wherever possible, preference has been shown to the backward communities in particular.

I will illustrate my position by quoting certain figures from the report itself. In the intermediate division, out of 1546 recruitments of candidates who had no long service, Hindus number 928, Muslims 45, and Christians 573. That is, Brahmins and Nairs from Hindus, Marthomites and Jacobites from Christians, considered to be adequately represented by Government, got only 782 out of 1546 appointments. To make it clearer, candidates from under-represented communities got 49 per cent or say 9 per cent more than what they expected and deserved. Thus it can be seen that the selective test worked no hardship for them as apprehended. In the lower division 3424 advices were made, i. e., 1887 for Hindus, 230 for Muhammadans, and 1307 for Christians. Thus the under-represented communities got 2481 appointments or say 72·5 per cent of the total. These figures speak for themselves and no further elucidation is necessary.

The real working of the rules presented grave difficulties to a few, especially to those who were recruited to 20-25 grade. To these posts under the present Rules, recruitment is made by selective tests. In 1112, the Commissioner held a test and selected 510 candidates; and it was supposed that they would be absorbed within the next 6 months. But, actually, even after a year, only about 150-160 were absorbed, and the rest continued unemployed. Sir, it was in contravention to Rule 35. The Rule lays down that, when there is a sufficiency of selected candidates already available for recruitment, no further test should be held. Still, in Kanni 1113, another test was held and 348 hands were selected. As a matter of fact, the first set of 510 people had to wait till Vrischigam 1114 for all of them to get appointments. In the meanwhile, naturally, a hubbub was raised by the people who had acted for some time and who had then been relieved; and, as a result of such hubbub, Government ordered that Heads of Departments should retain in service as far as possible men who were selected by the Public Service Commissioner. The result was that men entertained later continued in service to the exclusion of other persons selected by the Public Service Commissioner even earlier. The seniors had to wait for another year, and they had to re-register their names according to Rule 45 now abolished; and even when they so re-registered, they were given a place only towards the close of the second list.

[Mr. Kannanthodath Janardanan Nair.]

There was a similar hardship in regard to seniority also. I admit, Sir, that the G. O. on that matter provides for seniority. But that can happen only if anybody gets appointed a second time. But, on account of the over-estimation of the vacancies, there is no possibility for that.

Another rule which requires overhauling is the one relating to age bar. The present rule is that, to save age bar, one should register his application with the Public Service Commissioner before the prescribed age-limit. But, Sir, registration arises only when the Public Service Commissioner invites applications. Until his first and second lists are exhausted, he may not invite any more applications. That means, that, for the mere fault of having been born in a certain year, certain persons will be permanently debarred from entering service. Thus, they are unconsciously penalised for their birth, their birth over which they had neither any control nor any responsibility. In the name of justice I demand that this hardship should be at once removed.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, may I proceed on the assumption that no amendments have been moved?

PRESIDENT: Yes.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I rise with a sense of very great satisfaction, the satisfaction that one derives from the feeling that he has done something which will make people happy. As my friend Mr. K. G Kunjukrishna Pillai pointed out, the discussion about recruitment to public service has never been performed in this House in so sweet a mnnner till today. That different communities which till now looked upon one another with suspicion could appreciate each other's attitude and could even speak in mutual admiration and gratefulness is, I think, a mark of a bright future. I must sincerely thank the Leader of the other party, Mr. N. Ramakrishna Pillai, who so generously seconded my motion and strengthened my hand.

Sir, while moving the motion, I had a feeling that being one who came into the field of communal representation rather very late, I need not take up the time of the House to explain the various implications of the recommendations contained in my motion. But, subsequent discussion showed to me that it would have been better if I had spoken a few words in that direction. I must thank my friend Mr. K. G. Kunjukrishna Pillai for making my task much easier; he has so lucidly and effectively explained the fundamental principles underlying the recommendations I have placed before this Assembly. As amendments will be moved later on and as the resolution will be discussed clause by clause, I do not wish to enter into the details now.

Among the general criticisms made, I may speak one word in reply to Mr. Sivathanu Pillai who expressed most affectionately his regret for my fall from the high pedestal where we both remained at one time. I do not think I have fallen at all; if I am asked to think of public service, apart from all other considerations, political or human, and if I am asked to state what should be the criterion for recruitment o public service, I would unhesitatingly say that it must be efficiency

and efficiency alone. Efficiency is certainly one consideration. But, in practical life, there is the other consideration, namely, harmony and fraternal feeling among all sections of the people, which is far more important than even efficiency in public service.

Sir, for the last 20 or 25 years, this question of communal representation has been the subject of discussion and discord in this country, not only in the Legislature, not only on public platforms, but also in almost all newspapers. Even today, Mr. Jebamony Nadar brought to this House, as it were to strike a note of discord in this harmonious discussion, a statement recently published by a newspaper, making one community the target of attack. That is still going on. If I am convinced that for happy life in this country, for the general happiness of the people, efficiency in public service has to be sacrificed, I should think it my duty to say "Let efficiency go." But now I only say that, consistent with efficiency, let us devise methods which would satisfy all sections of the people. My recommendations are framed on that basis.

The three important changes that are sought to be brought about by my resolution are these. Firstly, the adoption of the principle of communal representation on the population basis; in higher grades, that rule will not directly apply. But the majority of the appointments in the higher grades go only by promotions. Then there are the technical departments where, consistent with public interests, we cannot have communal representation. There is also a fraction reserved for nomination by Government who will see that justice is done to all communities. Thus, even though apparently the principle of communal representation is not accepted in the higher division in effect the principle will apply there also. Secondly, in the intermediate grade which comprises the major portion of appointments in this country, I suggest that, throughout, the principle of communal representation on population basis should apply, instead of the present rule of 60 per cent of the appointments being made by means of a selective test and the other 40 per cent alone being available for communal representation.

Sir, Mr. Sivathanu Pillai characterised my remarks on this point as self-contradictory. I can only say that he has not understood the distinction between contrary statements and contradictory statements. That is a piece of logic which my friend might better study before he thinks of characterising my statement as self-contradictory. I may just point out to him that while I referred the other day to the doubt lurking in the minds of honourble members in spite of the apparently convincing answers given by the Public Service Commissioner and explained the reason for my bringing forward the present resolution, I did not base my conclusions on doubts. What I said was that I based my argument on the fact that there was such doubt; there is therefore no self-contradiction there.

Another honourble member I would refer to is Mr. Kochukora Tharakan. He objected to two things. First of all he objected to the Hindus getting 31 seats. That is a fundamental point on which I am not prepared to yield an inch. Sir, although it was never openly stated like that, it was a plain fact that the agitation during the last

[Mr. Kainikkara M. Padmanabha Pillai.]

two years which was ostensibly led by the Ezhavas and the Catholics was really led from behind by the Jacobites and the Mar Thomites who evidently want more than what is due to them on the population basis. If the 16 lakhs of Christians have been given the number of posts due to 16 lakhs, I cannot see why they should get even one more. Under the present Rules while 31 seats have been set apart for the 31 lakhs of Hindus, 20 seats have been set apart for 16 lakhs of Christians.

[At this stage, as it was 3 30 P. M., the adjournment motion was taken up.]

ADJOURNMENT MOTION RE: GENERAL HOLIDAYS AND SPECIAL HOLIDAYS.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, *viz.*, the serious situation arising from the notification R. O. C. No. 589/39/ C. S., dated 18th September 1939, regarding the "General Holidays" and "Special Holidays" for the State, and class of persons or communities, respectively. Notification R. O. C. No. 589/39/ C. S., dated 18th September 1939, which is the subject matter of my adjournment motion reads as follows:—

> "It is hereby notified, with the sanction of His Highness the Maharaja and in supersession of all previous orders relating to the grant of holidays (except local public holidays), that the days specified in List (A) below shall be "General Holidays" for the State and that those specified in list (B) shall be "Special Holidays" for the classes of persons or communities noted against each."

By virtue of this notification, 16 days are declared to be general holidays for the State, while as special holidays, Brahmins are given two full days, Christians as a whole ten days, Roman Catholic Christians one day, Muslims nine days, and Ezhavas one day. At the outset I may be permitted to observe that the notification is absolutely bad in principle. In declaring special holidays on the basis of religion and communities, it may naturally appear that Government are also in favour of maintaining the communal distinction for ever which gives rise to a considerable extent to almost all the political troubles and unrest in the State. In the second place I am constrained to submit that the notification has also the effect, to some extent, of defeating the very object of the historic Temple Entry Proclamation, namely, the consolidation of the Hindus in as much as the notification impliedly makes an attempt to divide the followers of the Hindu religion into Hindus, Brahmins, and Ezhavas in the matter of Special Holidays.

PRESIDENT: So far as New Moon is concerned, Government are prepared to abolish the Special Holidays for every community, so that there may not be any distinction.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I am in favour of reducing the number of holidays to the minimum.

PRESIDENT: If the idea is that there is any attempt made to differentiate between the various sections of the Hindu community in the matter of special holidays, because half holiday is given to the Brahmins and not to the other sections of the Hindu community, then Government are perfectly prepared to remove that distinction. As a matter of fact, New Moon observance of this kind is peculiar to Travancore. In other parts of India, although Hindus observe it as a religious day, it is not observed as a holiday. So far as the Ezhavas are concerned, the holiday in connection with Sri Narayana Guru is a special one. That is a matter in which, I think, the Ezhavas are more concerned. So there is no more distinction.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: New Moons are generally observed by all the Hindus in the State. So, my submission is that they are not justified in placing the matter on a different basis.

PRESIDENT: I find it very difficult to understand the argument of the honourable member. I am as good a Hindu as anybody else. On New Moon days I have nothing particular to do after 9 O' clock.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Certain people will have to go to different sacred places such as Warkala, Rameswaram and other places of pilgrimage on the New Moon day.

PRESIDENT: It is undoubtedly a fact that if you can go to the sea shore on New moon days more merit is acquired. But Government cannot grant holidays to people to go to Warkala, Rameswaram and other places.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The object of granting holidays is not only to benefit public servants but the public also should not be put to difficulties on account of not declaring all important days as holidays, because they will have to attend public offices, if they are not closed.

PRESIDENT: May I ask the honourable member what normally people do on New Moon days? Suppose they do not want to go to Warkala or Rameswaram, what else would they have to do?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: According to religious faith, people have got much objection to attend the public offices after performing certain Karmas at home on certain important days. Such people will like to spend away those days as Anadhyaya Dinam.

PRESIDENT: Prathama or the first day after the New moon and Full Moon are also Anadhyayana days. On such days, there was not the possibility of studying. But even in Travancore, Prathamas are not holidays. Then what is the difficulty about New Moon days? If there is any serious inconvenience suffered by any community or individual by reason of the New Moon observance not being accompained by a full holiday, I should like to be enlightened.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: My objection is not only with regard to New Moon. There should not be any special holidays for any community. Sri Narayana Guru is admitted even in Government records such as the Census Report of 1931 to be a reformer of Hindu religion. That great man is revered and respected not only by Ezhavas but by other true Hindus in the State. I cannot understand why the 5th of Kanni, the memorable day of the Samadhi of the Guru, is declared as a special holiday for the Ezhavas alone.

PRESIDENT: Krishna, Sri Rama, Chaithanya, and others are revered in various parts of the world. Is Krishnajayanti a special holiday?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: What I wish to bring to the notice of the Chair and the House is that the 5th of Kanni should have been declared as a General Holiday for this Hindu State. The Hindu Holidays taken away by the notification under discussion should be restored as they are days of much importance so far as the Hindu religion is concerned. I shall deal with that question immediately. For the Hindus, the most important days of religious observance are Sivaratri, Krishnajayanti and Swargavathilekadasi which occur only once a year. As can be seen from the notification, while Government have been very particular to declare Avaniavittam and Gayathrijapam as special holidays for one particular community among the Hindus, I do not know why they did not think it worth while to declare these three most important days as holidays for the followers of the Hindu religion. On the other hand, from the notification it can be seen that these days are declared as working days. My submission is that Sivaratri, Krishnajayanti and Swargavathilekadasi must be declared as general holidays for the whole State.

I shall now deal with the innumerable practical difficulties arising out of the notification, especially with reference to the judicial and the education departments of the State. The fact that immediately after the notification Government had to modify the same with regard to the Christmas holidays for the Judicial Department is a sure index of the defective nature of the notification.

PRESIDENT: The High Court have been informed that the Christmas holidays are restored on the definite understanding that they will take away some other holidays to compensate for the same.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I too have no objection to reduce the number of general holidays. The practical difficulties that are being now experienced by the Judicial Department as the result of the notification may be consistently brought under 4 heads, *viz.*, difficulties in posting arrangements, difficuties in the trial, difficulties in the execution proceedings, and the effect of the notification on Section 4 of the Limitation Regulation.

Firstly, I shall deal with the difficulties in posting arrangements. Before posting a case to a particular day the court must at every time consider the question of the communities to which the parties to the

case belong. The communities to which the vakils engaged therefor by the respective parties must also be ascertained every time. There are cases in which parties to the case and their vakils may belong to different communities for which special holidays are granted under the notification. This involves unnecessary waste of time and labour.

Then with regard to the difficulties of trial. The witnesses in a particular case may belong to different communities for which special holidays are granted under the notification. These witnesses can refuse to attend the court on the date of trial on the ground of special holidays and consequently that case will have to be adjourned without any progress being made on that day.

PRESIDENT: Is there not some other witness to be examined? There may be two or three witnesses in a case.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: There may be ever so many witnesses in a particular case, Sir. Those witnesses may be Ezhavas, Mohammedans or Brahmins for whom there are Special Holidays under the notification.

PRESIDENT: Supposing there is one witness who wants to enjoy the benefit of the special holiday, there may be other witnesses whom the Judge can examine provided he himself does not want to have a holiday. (*Laughter*).

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, suppose all the witnesses belong to that community to which the special holiday is given. Then the case could not be procedeed with on that day.

PRESIDENT: In my long professional career of 36 years there were quite a number of special holidays. On those occasions, if one witness did not come, the other witnesses were examined. But if the judge wants a holiday he will post the case to some other day.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I am not referring to the parties alone. In the case of vakils who belong to particular communities to which the special holiday is given, they will also abstain from attending the court. So there is much difficulty and hindrance in the trial of cases. Then, witnesses arrested under warrants may belong to particular communities for which special holiday is given, and may also refuse to appear before the court on such days.

PRESIDENT: Does not the warrant say that he is to appear on such and such a day?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The witness may not be able to attend the court on account of the holiday and so he will have to tip the process peon. That also entails unnecessary expenditure on the part of the litigant public. Then there is another difficulty, Sir. Practically no work will be done in a court on account of the special holidays given for the community to which the presiding officer belongs, because, he may not attend court on that day even though vakils, witnesses and parties appear before the court and are prepared to do their part of business. As a result, no work will be done on that day.

[Mr. Puliyur T. P. Velayudhan Pillai]

Then with regard to the difficulties in execution proceedings. A judgment debtor may be arrested under a warrant taken out in execution of decrees. A period may generally be prescribed in the warrant. But there is no particular date fixed in the warrant for the arrest of the judgement debtor. It will only say "between the 10th and 15th Makaram" or so. So the process server can arrest the judgment debtor on any day during the period stated in the warrant. If a judgment debtor is arrested or is sought to be produced in the court on a special holiday given to the community to which he belongs and he refuses to attend, then nothing can be done against him.

MR. PUTHUPALLI S. KRISHNA PILLAI: Does the law prohibit any order being passed on any day which is declared to be a special holiday or even on a general holiday?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I am not at the question af passing orders. I am explaining the circumstances which will convince this House that there is great hardship caused to the public by granting these special holidays for different communities.

MR. PUTHUPALLI S. KRISHNA PILLAI: Are judgment debtors exempted from arrest on special holidays or public holidays by any law?

PRESIDENT: The party can very well go to the judge's chamber or house and get the necessary order.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: My submission is, suppose the judgment debtor, arrested under a warrant, wilfully refuses to appear before the court on such a holiday.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I may be permitted to interrupt the honourable member. At present, the law is, if a man who is arrested does not comply with the arrest, his place is in the Magistrate's Court.

PRESIDENT: He can very well apply for mahazar.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Suppose without going to the court or to the residence of the presiding officer a certain judgment debtor refuses to accompany the process server to court saying that it is a special holiday for his community.

PRESIDENT: What is the ground for his exemption? Is there any rule or provision in the law that he should not be arrested on account of a holiday?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: My submission is that it is doubtful whether under those circumstances the Judgment debtor can be prosecuted in a criminal court for escaping from lawful custody.

Then, Sir, in the matter of execution sales it is doubtful whether the sales conducted on special holidays for certain communities to which the parties to the decree belong will be valid. It is also doubtful whether it is legal to conduct court sales on special holidays on which all communities are not bound to come to the court. That may lead to selling away of properties of judgment debtors for inadequate prices.

Then, Sir, with regard to the effect of the notification on Section 4 of the Limitation Regulation. Section 4 exempts the general holidays from the calculation of the period prescribed for limitation. It is equally doubtful whether for limitation purposes the special holidays can be excluded.

PRESIDENT: A special holiday by its very connotation means a holiday given to persons belonging to a particular community. There is no question of limitation here. This question was discussed at great length in a celebrated case at the Allahabad High Court.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The principle of granting a special holiday to a particular community equally holds good in the case of the litigant public. If an officer is exempted from attending office on a special holiday given for his community the litigant who belongs to that community must also be given an equal privilege of availing himself of that holiday. Apart from all these difficulties, Rule 553 of the Civil Courts Guide which prescribes the number of holidays for the civil courts is not amended in view of the notification which is under discussion.

Then, Sir, with regard to the Education Department. According to the wording of the notification, *viz.*, "In supersession of all previous orders" and all those things, even Educational Institutions, such as, schools and colleges, are to work even on Saturdays because Saturdays are not declared as general holidays for schools according to the wording of the notification.

MR. C. V. CHANDRASEKHARAN: A point of information, Sir. I may point out that this order does not apply to the Colleges.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: But in the wording of this notification I do not see any such exemption. "It is hereby notified.............

MR. C. V. CHANDRASEKHARAN: The University is an autonomous body and its working is governed by terms and statutes and ordinances of its own.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then again, the other educational institutions, will have to work on Saturdays also if it is strictly interpreted in accordance with the wording of the notification.

Then, Sir, in a certain institution if the majority of the teachers and students who belong to a particular community for which a special holiday is given, do not appear on that day, practically, there would not be any work done in that school on that particular day. That is one difficulty. Then, even if work is done on that day, the students, who on account of the special holiday do not attend the school on that day, are deprived of the benefit of the instruction given in the school on that particular day. After obtaining the amount of fees from all the students alike by the Department, I ask whether it is proper or fair on the part of the authorities to deprive some of the school-going children of the benefit of instruction given on the special holiday to other children belonging to other communities. So, my submission is that there is much difficulty and inconvenience created in the Educational institutions also on account of the working of the notification under discussion.

PRESIDENT: Honourable member might finish soon.

MR. PULIYOOR T. P. VEAYUDHAN PILLAI: Hence, it is quite clear that the notification is bad in principle, difficult of practical application, and is not conducive to the communal harmony and prosperity of the State. I would also like to bring to the notice of the Chair and to the notice of the honourable members of this House that in many of the leading newspapers in the country leading articles were published protesting against the notification under discussion. Sir, under these circumstances, I would move my adjournment motion for the unanimous acceptance of this House.

MR. K. KUNJU PANICKER: I second it. In seconding the motion, I beg to submit that in the matter of the New Moon holidays, except in the month of Makaram and Karkadakom, these holidays are not uniformly observed by the Hindus. So, I am not very particular to get the New Moon holidays in other months. But, whenever there is a common holiday which is common to some important communities or sections of the people, I submit that it is good policy to grant that holiday for all the population of the State.

Also, I submit that we do not require so many holidays. But when on important occasions, holidays as, for example, Christmas days, Birthday of His Highness the Maharaja, *Ashtami Rohani*, which when strictly scrutinised, may belong to particular sections of the population in the State, are granted to particular sections of the people, it is better to give them for the whole people of the State, so that there may be general convenience and well-being of the social amenities. It is on these grounds that I emphasise that this motion should be accepted.

PRESIDENT: I think the best plan would be to ask the Chief Secretary to speak.

MR. M. K. NILAKANTA AIYAR: Sir, prior to the issue of the notification referred to by the honourable member, we had 43 general holidays excluding Sundays and New Moon days, and 20 special holidays, in all, about 63 holidays—43 general and 20 special.

PRESIDENT: Did any difficulties on account of special holidays arise before this?

MR. M. K. NILAKANTA AIYAR: Absolutely none.

PRESIDENT: There were also special holidays then?

MR. M. K. NILAKANTA AIYAR: Yes.

Now, in the notification there are 16 general holidays in Travancore as against 19 general holidays in Cochin and 15 general holidays in Madras. There are only 15 general holidays in Madras as against 16 here. In Mysore also the number of general holidays is very limited. Excluding the 10 days allowed for Dassara, the number of general holidays is much less than ours. In England the number of general holidays is much less, they being all Sundays, two Easter days. Whitsuntide, two days, Christmas day, Boxing day, New Year day and His Majesty's Birthday. It will be seen from the above that the holidays here are not few when compared with other places. Mr. Puliyoor T. P. Velayudhan Pillai seems to question the

propriety of granting special holidays. This is not a new thing. As I said, special holidays are given not only here but in Mysore, Cochin and British India and the object of granting them is not, at any rate, to perpetrate communal antagonism, but, on the other hand, to respect the religious sentiments of all communities.

The difficulties in the matter of trials, execution proceedings and arrests of civil debtors have been referred to. These points have already been answered and I do not think it necessary to deal with them again. As has already been said, there is no provision of law which says that a debtor could not be arrested on a holiday, nor is there any provision which does not allow a judge to pass orders on a general holiday.

The list of holidays has been suitably reduced only with a view to secure economy of public time.

Objection has been taken to *Avani Avittam* and *Gayatrijapam* having been declared as special holidays for the Brahmin community. I may state for the information of the House that the *Avani Avittam* ceremony commences by about 11 a. m. and lasts till 3 p m. In the same way, *Gayatrijapam* ceremony commences by about 7 a. m. and lasts till 12 noon. That was the reason why special holidays were granted to the Brahmin community.

As regards 5th of Kanni being observed as a special holiday for the Ezhavas, I am not aware of any other community celebrating that day. The Ezhavas alone celebrate that day, and it is on that ground that that day has been set apart as a special holiday for the Ezhavas.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: One question, Sir. Is it for the celebration of that day that 5th of Kanni is declared a holiday?

MR. M. K. NILAKANTA AIYAR: For commemmoration as well as for celebration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Chief Secretary when does the religious ceremoney commence on days such as the *Sivaratri, Swargavathal Ekadasi, Ashtami Rohani* etc.?

MR. M. K. NILAKANTA AIYAR: I am glad that the question is put to me. I have been observing these three ceremonies. On *Ashtami Rohani* day pujas are done usually at 3 p. m. Nothing is done during day time. In regard to *Sivaratri* the pujas commence at 5 p. m. and last till midnight and as regards *Swargavathal Ekadasi* there are no special pujas. Fasting is all that is done.

MR. M. SIVATHANU PILLAI: Sir, is there any objection to non-Brahmin communities observing *Gayatri japam*?

MR. M. K. NILAKANTA AIYAR: Government have no objection.

MR. M. SIVATHANU PILLAI: Will they be given holidays if they conduct *Gayatrijapam*?

MR. M. K. NILAKANTA AIYAR: They may do *Gayatrijapam*, but they will not be given holidays.

MR. P S. MUHAMED: മി. റ്റി. പി. വേലായുധൻ പിള്ളയുടെ പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. സ്പെഷ്യൽ ഹാളിഡേസ് അനുവദിക്കുന്നതുകൊണ്ടു് വിഷമങ്ങൾ പലതും ഉണ്ടു്. നിവൃത്തിയില്ലാത്ത നിലയിലുള്ള മതകർമ്മങ്ങൾ അനുഷ്ഠിക്കുന്നതിനുവേണ്ടി പ്രത്യേക ഒഴിവുദിവസങ്ങൾ അനുവദിച്ചുകൂടാ എന്നു പറയുന്നതിനോ പൊതു ഒഴിവു ദിവസമല്ലാതെ മററു ഒഴിവുദിവസങ്ങൾ അനുവദിച്ചുകൂടാ എന്നു നിർബന്ധമായി പറയുന്നതിനൊ അല്ലാ ഇതിനെ ഞാൻ അനുകൂലിക്കുന്നതു്. ഇവിടത്തെ പൊതു ഒഴിവുദിവസങ്ങളെ നോക്കിയാൽ എമ്പറേഴ്സ് ബർത്ത്ഡേ, ഹൈനസ്സിൻെറ ബർത്ത്ഡേ, ടെമ്പിൾഎൻട്രിപ്രാക്ളമേഷൻഡേ, ഈ മൂന്നു ദിവസങ്ങൾ ഒഴിച്ചു് മറെറല്ലാ ഒഴിവുദിവസങ്ങളും ഓരോ മതക്കാർക്കും മതപരമായ അനുഷ്ഠാനങ്ങൾ ചെയ്യുന്നതിനുള്ള ദിവസങ്ങളാണ്.

MR. PUTHUPALLY S. KRISHNA PILLAI: What about the Onam holidays?

MR. P S. MUHAMED: ഓണം ഹാളിഡേസ് ഇവിടത്തെ ഹിന്ദുക്കൾ അനേകകാലമായി നടത്തിവരുന്ന ആചാരത്തിൻെറ ഫലമായി ഉണ്ടായിട്ടുള്ളതാണ്. ഹിന്ദുക്കൾ ഇവിടെ പ്രബലന്മാരായിരുന്നു. തിരുവിതാംകൂർ യഥാർത്ഥത്തിൽ ഒരു ഹിന്ദു സ്റ്റേററ് ആണെന്നു് പറയുന്നതിൽ എനിക്കു മടിയില്ല. ഹിന്ദുക്കളുടെ മതപരമായ ഒഴിവുദിവസങ്ങളെ മററുള്ളവരും ബഹുമാനിക്കുന്നതു് സാധാരണയാണ്. അതുപോലെ മുഹററം പൊതു ഒഴിവുദിവസം അല്ലെങ്കിലും പല ഹിന്ദുക്കളും മുസ്ലിമിങ്ങളുടെ ആചാരങ്ങളിൽ പങ്കുകൊള്ളുന്നുണ്ടു്. മുഹററം ആചാരങ്ങളിൽ ഹിന്ദുക്കൾ പങ്കുകൊള്ളുന്നതുകൊണ്ടു് ഹിന്ദുക്കളുടെ ഒഴിവുദിവസമാക്കുകയോ മഹമ്മദീയർ ഓണം ചടങ്ങുകളിൽ പങ്കുകൊള്ളുന്നതുകൊണ്ടു് അതിനെ അവർക്കു് പ്രത്യേകമാക്കുകയോ ചെയ്തിട്ടില്ല. മഹാരാജാവു തിരുമനസ്സിലെ വിശ്വസ്ത പ്രജകളായ മുസ്ലീങ്ങൾ മതവിശ്വാസത്തോടുകൂടി ജീവിക്കുന്നവരായതുകൊണ്ടു് ഒഴിച്ചുകൂടാൻ പാടില്ലാത്ത ഒഴിവുദിവസങ്ങൾ ഞങ്ങൾക്കു് അനുവദിച്ചുകിട്ടണമെന്നു ഗവൺമെൻറിനെ ധരിപ്പിച്ചതിൻെറ ഫലമായിട്ടാണ് മൂന്നു് ഒഴിവു ദിവസങ്ങൾ അനുവദിച്ചുതന്നിട്ടുള്ളതു്. റംസാൻ, ബക്രീഡ്, മിലാദി ഷരീഫ് ഇവ അതിൽ ഉൾപ്പെട്ടതാണ്. മററു സ്ഥലങ്ങളിൽ വ. ദിവസംകൂടെ ഒഴിവുദിവസമാക്കിട്ടുണ്ടു്. ചില മതാനുഷ്ഠാനങ്ങൾ മാത്രം നടത്തേണ്ട ദിവസം ഒഴിവുദിവസമാക്കണമെന്നില്ല. അതില്ലാതെതന്നെ

അനുഷ്ടാനം നടത്താവുന്നതാണ്. ഈ മൂന്ന ഒഴിവു ദിവസങ്ങൾ സംസ്കാരപരമായിതന്നെ വളരെ പ്രാധാന്യമുള്ളതാണ്. അതാണ് ഈ മൂന്നദിവസങ്ങൾകൊണ്ടു ഞങ്ങൾ തൃപ്തിപ്പെട്ടിരുന്നതു. ഇപ്പോഴിതാ പരിഷ്കാരത്തിൽ അതു നഷ്ടപ്പെട്ടുപോയി. ഹിന്ദുക്കൾക്ക് അവരുടെ മതാനുഷ്ടാനങ്ങൾ നടത്തുന്നതിന് ധാരാളം ഒഴിവുദിവസങ്ങളുണ്ട്. ക്രിസ്ത്യാനിക്ക് എല്ലാ ഞായറാഴ്ചയും ഒഴിവുദിവസങ്ങളാണ്. എന്നാൽ മുസ്ലിമിങ്ങളുടെ കാര്യത്തിൽ അങ്ങിനെയല്ല. മുസ്ലിം സമുദായം തിരുവിതാംകൂറിലുണ്ടോ എന്ന് സംശയിക്കത്തക്കവിധത്തിൽ പൊതുവെ അവക്കുള്ള റെക്കഗ്നിഷൻ നശിച്ചുപോയിരിക്കുന്നു. ഇതു് ഗവണ്മെന്റു മനഃപൂർവം ചെയ്യുതല്ലായിരിക്കാം. ആദ്യം ഉണ്ടായിരുന്ന ഒഴിവു ദിവസങ്ങൾ തീരെ ഒഴിച്ചുകൂട്ടാൻ പാടില്ലാത്തവയാണ്. ആചാരങ്ങൾ അനുഷ്ടിക്കാതെയിരിക്കാമെന്നു വിചാരിച്ചാൽതന്നെയും അതിനു സാധിക്കുകയില്ല. സ്പെഷ്യൽ ഹാളിഡേസിൽ കുട്ടികളെ പള്ളിക്കൂടത്തിൽ അയച്ചു വരുന്നുണ്ട്. അന്ന് പലക്കും വ്യക്തിപരമായ സൗകര്യം മാത്രമേ ലഭിക്കുന്നുള്ളു. തിരുവിതാംകൂറിലെ മുസ്ലിമിങ്ങളുടെ നിലനോക്കിയാൽ വളരെ മനഃസ്ഥാപം തോന്നുന്നുണ്ട്. മററു സ്ഥലങ്ങളിൽ പൊതു ഒഴിവു ദിവസങ്ങൾ വളരെ കുറവാണെന്നു ചീഫ്സിക്രട്ടറി അവർകൾ വായിച്ചു റിപ്പോർട്ടിൽ പറയുന്നു. മുൻപറഞ്ഞ ദിവസങ്ങൾ എല്ലാസ്ഥലത്തും പൊതുഒഴിവുദിവസങ്ങളാണ്. തിരുവിതാംകൂറിൽ ഇമ്പീരിയൽബാങ്കിൽ പോലും ഈ ഒഴിവുദിവസങ്ങൾക്കു സ്ഥാനമുണ്ട്. മുസ്ലിങ്ങളുടെ ഹൃദയത്തെ വേദനപ്പെടുത്തുന്ന ഒരു സംഗതിയാണ് ഇതു്. ഒഴിച്ചുകൂട്ടാൻ പാടില്ലാത്ത അനുഷ്ടാനങ്ങൾ നടത്തുന്നതന് സൗകര്യമില്ലാതെവരുന്നതു വളരെ സങ്കടകരമാണ്. ആത്മാഭിമാനത്തിന് അതു് യോജിക്കുന്നില്ല. തിരുവിതാംകൂറിനു വെളിയിലുള്ള മുസ്ലിം സഹോദരന്മാർ എല്ലാവരും അനുഭവിക്കുന്ന സ്വാതന്ത്ര്യം രാജഭക്തരായ ഞങ്ങൾക്കു തിരുവിതാംകൂറിലും ലഭിക്കണം. തിരുവിതാംകൂറിൽ മുസ്ലിമിങ്ങളുടെ നില നശിച്ചുപോയി എന്നു വരുത്തുന്നതു് സങ്കടകരമാകുന്നു. ഈ വക സങ്കടങ്ങളെ കാണിച്ചു് തിരുവിതാംകൂർ സ്റ്റേററ് മുസ്ലീം ലീഗിൽനിന്നും ഗവർമ്മെൻറിലേക്ക് പ്രമേയങ്ങൾ അയച്ചിട്ടുണ്ട്. അതിലേക്ക് ഒരു ഡപ്യൂട്ടേഷൻ സ്വീകരിക്കണമെന്നപേക്ഷിച്ചതിൽ തിരുനാൾ കഴിഞ്ഞു ഡപ്യൂട്ടേഷൻ സ്വീകരിക്കാമെന്ന് മറുപടിതന്നു. എന്നാൽ അതിന് ഇതുവരെ സൗകര്യം കിട്ടിയില്ല. കഴിഞ്ഞ ഞായറാഴ്ച ദിവസം തിരുവിതാംകൂറിന്റെ നാനാഭാഗങ്ങളിലും യോഗങ്ങൾ കൂടി ഇതിനെ സംബന്ധിച്ചുള്ള നിശ്ചയങ്ങൾ

[Mr. P. S. Muhamed.]

പാസ്സാക്കിയിട്ടുണ്ട്. എനിക്കുതന്നെ ഒരു ദിവസം നാലഞ്ചു യോഗത്തിൽ സംബന്ധിക്കേണ്ടതായിവന്നു. പൊതുവെ മുസ്ലിമിങ്ങളുടെ ഹൃദയത്തെ വേദനപ്പെടുത്തുന്ന വിഷയത്തിൽ ഗവൺമെൻറ് ശ്രദ്ധിക്കണമെന്നുമാത്രം പ്രസ്താവിച്ചുകൊണ്ട് പ്രമേയത്തെ അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. P. C. ADICHAN : ഈ അടിയന്തിരപ്രമേയത്തെ അനുകൂലിച്ചുകൊണ്ടു രണ്ടു വാക്ക് സംസാരിക്കണമെന്ന് ഞാൻ ആഗ്രഹിക്കുന്നു. തിരുവിതാംകൂറിലുള്ള സകലമാന മതക്കാർക്കും ഒരുപോലെ ഒഴിവുദിവസങ്ങൾ കൊടുക്കേണ്ടതാണു ശരിയായിട്ടുള്ളത്. അല്പംമുമ്പു, ബഹുമാനപ്പെട്ട ചീഫ്സിക്രട്ടറി അവർകൾ ബ്രാഹ്മണർക്കു മാത്രമേ അഷ്ടമിരോഹിണി മുടങ്ങിയ ഒഴിവുദിവസങ്ങൾ അനുവദിക്കുകയുള്ളു എന്നും ബ്രാഹ്മണരല്ലാത്ത ഹിന്ദുക്കൾക്ക് അതു് അനുവദിക്കത്തക്കതല്ലെന്നും പറയുന്നതുകേൾക്കാൻ ഇടയായതുതന്നെ വളരെസങ്കടകരമാണ്. പക്ഷേ ചീഫ്സിക്രട്ടറി അവർകളുടെ സ്വന്തം അഭിപ്രായം അല്ലെന്നും ഗവർമ്മെൻറ് റൂൾസ് അങ്ങിനെ പാസ്സായതുകൊണ്ട് അദ്ദേഹം അങ്ങനെ മറുപടിപറഞ്ഞതാണെന്ന് ഇതുവരെയുള്ള അദ്ദേഹത്തിൻെറ സാധുക്കളോടുള്ള വാത്സല്യംകൊണ്ടും മനസ്സിലാക്കുവാൻ സാധിക്കും. എന്നുമാത്രവുമല്ല മഹാരാജാവു തിരുമനസ്സിലെ വിശ്വവിഖ്യാതമായ ക്ഷേത്രപ്രവേശനവിളംബരത്തിനു ശേഷം ഹിന്ദുക്കൾ ഈശ്വരാരാധനരീതി ഒരേതരത്തിൽ കൊണ്ടുവരുവാൻ ആഗ്രഹിക്കയാണ്. അങ്ങിനെയിരിക്കെ ബ്രാഹ്മണർക്കുമാത്രമേ ചില പ്രത്യേക ദിവസങ്ങളിൽ ആരാധന ചെയ്യാൻ പാടുള്ളുവെന്ന് അതിനും സ്ഫുരിക്കുമാറ് ഒഴിവുദിവസങ്ങൾ കൊടുക്കുന്നതിൽ വരാവുന്ന അവശതയേയും വ്യത്യാസത്തേയും ഓർത്തു് വ്യസനിക്കുകയും അങ്ങിനെ വരാതിരിക്കുവാൻ ബഹുമാനപ്പെട്ട ഗവർമ്മെൻറ് ശ്രദ്ധിക്കുമെന്ന് വിശ്വസിക്കയും ചെയ്തുകൊണ്ട് ഈ അടിയന്തിരപ്രമേയത്തെ ബലമായി പിൻതാങ്ങുന്നു.

MR. M. SIVATHANU PILLAI : Sir, I have great pleasure to offer a few remarks in support of the motion. The remarks that I am going to offer in this connection may be taken to be the result not of any belief in the formal religion but on the other hand on a belief, on a very sincere belief, in holidays. I am a believer in more holidays than working days. I never expected that a motion advocating some more holidays would require so much trouble or persuasion as is found here or would need so much of feeling and appealing on the part of my friend Mr. P. S. Muhamed on the score of religious observances. The Chief Secretary was remarking that in respect of holidays in England, they

were fewer than here. I do not know whether the Chief Secretary has taken an insurance policy. In the case of insurance policies, Sir, persons who are going to England need pay only a smaller premium during their stay there than what has to be paid while here. It is because of the climate there which is very good for longevity. People there can work for any number of hours and that intensely. Here it is different. If you are to attend office every day here, although Government expect more work to be turned out, especially when there is a fan over your head you will be tempted to sleep and not to work. On the other hand if the people get more holidays they will enjoy those holidays and be better fitted for the discharge of their duties in an intensive manner after the brazening and refreshing effect. That does not require any argument at all, Sir. As the Chief Secretary's reply shows in respect of the figures of holidays both before the notification and after it, now we find that there is a big drop from 43 holidays to 16. That has given a very rude shock to most of us, people who have been enjoying a larger number of holidays. It is really a rude shock to those who have been enjoying 43 holidays to be all on a sudden asked to enjoy only 16 holidays. They are not asked to curtail their holidays in a slow and downward progress. As my friend Mr. T. P. Velayudhan Pillai remarked there are many difficulties. My impression is that there is absolutely no justification whatsoever for the notification curtailing the number of holidays.

Two or three years ago there was a declaration from Government stating that an interval of two hours, *i. e.*, from 12 Noon to 2 P. M. must be reserved for the use of Mahomedan students to offer their Friday prayers. Because a distinguished Mahomedan happened to be the Head of the Administration, such a declaration was thought of and given effect to. From that time onward, that interval of 2 hours every Friday is being observed in all schools and colleges of the State as a temporary break in the school and college study. The object of that is to enable all Mahomedans to go and offer their prayer. The Hindus and Christians after some time took that declaration in good spirit and enjoy that concession even now in a holiday mood. We did not grudge at that idea that because one student happened to be a Mahomedan, he has been allowed two hours' interval, because others also were allowed to enjoy the two hours' recess. On account of such a declaration, that privilege is being enjoyed by all communities in the State, whether Hindus or Christians or Mahomedans.

Now a distinguished Brahmin gentleman is at the Head of the Administration. He is endowed with the spirit of real Brahminism. He is a believer in work and himself personifies work and service and wants all of us to work without the usual number of holidays being given to us, which we, Sir, were enjoying formerly. The cutting short of the holidays, I say, must be restored. It might be said that Government work will suffer. Such an inference is untenable. So, my first request is that the holidays which were stopped should be restored.

[Mr. M. Sivathanu Pillai.]

Secondly, though I am not a believer in the formal religion I mean the rituals enjoined by religion, I propose to conduct *Gayatrijapom* and *Avani Avittam* and several members of my community want to become all on a sudden Brahmins though not for its own purpose at least for the purpose of enjoying holidays. At any rate, the Brahmins have special holidays during *Gayatrijapom* and *Avani Avittam.* The members of my community also may like to perform *Gayatrijapom* like the Brahmins. I ask who can prohibit it. If there are people who desire to perform that, why should Government stand in their way by not declaring the *Gayatrijapom* day as a general holiday? I cannot understand it. Why should Government prevent us from becoming Brahmins in that way? As Mr. Muhamed painfully pointed out, it in a way looks unhappy. The Chief Secretary answered my question a little while ago that there is no objection in performing *Gayatrijapom* by members other than Brahmins; but all the same no holiday can be allowed to such people. That kind of reply rather wounds me. If I happen to be a believer in *Gayatrijapom* and desire to perform it, why should a holiday be denied to me, I fail to see. It suggests that because I am not born in the Brahmin community, I am denied that holiday. I have yet to learn whether one, be he a caste-Hindu or non-caste-Hindu, could be effectively prevented by Sastraic injunctions from performing *Gayatrijapom* or other like rituals, if he be inclined to perform them. No modern Brahmin would dare say that.

PRESIDENT: We are dealing with the question of holidays.

MR. M. SIVATHANU PILLAI: In my opinion, I have every right to demand that *Gayatrijapom* day should be declared a general holiday, being a Hindu myself. To say that a Vellala is not competent enough to perform *Gayatrijapom* or other religious performances and that therefore no holiday is necessary for him—that attitude of Government does not appeal to me. There is an impression, gaining ground among the Public, that this notification relating to reduction of holidays is not at all justified and creates ill-feeling among the Hindus particularly. Considered from all aspects, I think Government would only be doing well in accepting Mr. Velayudhan Pillai's resolution without any opposition. I also suggest that at least 50 per cent. of the holidays we had before may be restored, if not all.

In regard to Sri Narayana Guru Swami's Samadhi day, that too may be declared as a public holiday so that all communities can enjoy and participate along with the Ezhavas. Christmas holidays have been allowed for all and declared as general holidays. During Xmas holidays it is common that friends from different communities join together and make themselves merry. Why should the Government drive a wedge between the different communities even in the matter of enjoying holidays—I am unable to understand. Whether one belongs to the Hindu fold, or Christian fold, or the Mahomedan fold, general holidays should be left as they are for all communities to enjoy. I am very particular to have these holidays restored. The question of allotting special holidays exclusively to certain communities arouses in our minds

some communal feeling. Let not an impression be created in our mind that there is difference between man and man on the score of religion or community or pursuasion. With these words, I request Government to restore the holidays which we were formerly enjoying.

MR. P. NARAYANA PILLAI : Sir, in taking away some of the holidays, a lot of inconvenience has been caused to the people at large. Some of the general holidays which are of great religious importance have been cut down to the detriment of religious feelings and it is a matter for very serious grievance to the Hindu community. The Government have converted very important holidays such as *Sivarathri* and *Ashtami Rohini* to working days. It is widely known that holidays have been granted to the Hindus on these days for religious observances and worship and the religiously inclined people utilise those days for prayer and fasting. It is very harsh to make such people work as well as attend office on those important religious days. The attempt of Government by so doing would necessarily make the people irreligious. Anyhow, a very bad effect has been caused on the people of the Hindu fold at large by cutting down the religious holidays. If the object of reducing the holidays is to ensure efficiency in the services or to increase the quantum of work to be turned out, then one could understand the cutting down of holidays. During *Sivarathri*, Hindus observe strict fasting throughout the day. Religious people who attend office cannot work on account of fasting and the office work will suffer. It is not their incapacity for doing work, but their over-exertion that is responsible for such a state of affairs. Consequently, for the next day their work will suffer considerably. Both fasting and working cannot be done simultaneously. Fasting will bring about a state of sleeplessness on the day of observance and the effect of it will be reflected the next day. These are practical difficulties. So, I do not think there is any material benefit brought about by cutting down the holidays and converting them into working days and thereby hoping to increase efficiency in work. With these words I support the motion.

MR. T. T. KESAVAN SASTRI : സർ, പബ്ലിക്ക് ഒഴിവുദിവസങ്ങളെ സംബന്ധിക്കുന്ന ന്യായവാദം അനുവദനീയമാണെന്നാണു എന്റെ അഭിപ്രായം. പല മതസ്ഥർ ഇവിടെ ഉള്ളതുകൊണ്ടാണല്ലോ പല ഒഴിവുദിവസങ്ങളുടെ ആവശ്യം നേരിടുന്നതു്. ഇവിടെ ക്രിസ്ത്യാനികൾക്ക് ഞായറാഴ്ചയും ക്രിസ്തുമസ്സും മററുവിശേഷാൽ ദിവസങ്ങളും, മുസ്ലിമിങ്ങൾക്ക് വെള്ളിയാഴ്ചയും, മുഹറവും മററുവിശേഷാൽ ദിവസങ്ങളും ആദരണീയങ്ങളായിട്ടുള്ളതുപോലെ ഹിന്ദുക്കൾക്ക് പൊതുവേയും പലവിശേഷാൽ ദിവസങ്ങളും ആദരണീയങ്ങളായിട്ടുള്ളതു് പാരമ്പര്യമായി നിലനിന്നുവരുന്നതാകുന്നു. ശ്രീകൃഷ്ണഭഗവാൻ തിരുഅവതാരം ചെയ്ത അഷ്ടമിരോഹിണി ദിവസവും, സ്വർഗ്ഗവാതൽ ഏകാദശിദിനവും, കർക്കടകമാസത്തിലെ കറുത്തവാവു ദിവസവും മററും ഒഴിവുദിവസങ്ങളാക്കാതിരിക്കുന്നതു് കഷ്ടമാണു്. മത

[Mr. T. T. Kesevan Sastri.]

പരമായ ആചാരങ്ങൾക്ക് ഈ ദിവസങ്ങൾ ഒഴിക്കാൻ പാടുള്ളതല്ല. മതഭക്തരായ ജനങ്ങൾക്കു ഈ ദിവസങ്ങൾ ഒഴിവുദിവസങ്ങളായി അനുവദിക്കാതിരുന്നാൽ സങ്കടമുണ്ടാകാവുന്നതാണ. ഈ അവസരത്തിൽ എനിക്കൊന്നു പറയാനുള്ളതു് ഇതു് മതാദർശത്തെ മുൻനിറുത്തിയുള്ളതാകയാൽ ഓരോ മതക്കാരുടേയും അപേക്ഷകളെ പരിഗണിച്ചു് പബ്ളിക്ക് ഒഴിവുദിവസങ്ങൾ സദയം അനുവദിക്കണമെന്നുള്ളതാണ്. ഗവമ്മെൻറു ജോലിനടത്തിപ്പിനുവേണ്ട നിർബന്ധിത വ്യവസ്ഥകൾ നടപ്പിലാക്കിയാൽ മതിയാകും. ഹിന്ദുക്കൾക്കും, ക്രിസ്ത്യാനികൾക്കും, മുസ്ലിമിങ്ങൾക്കും സമമായ ചേർച്ചക്ക് പററിയ പല ഒഴിവുകളും, വിശേഷദിവസങ്ങളും ഇല്ലാതില്ല. ക്രിസ്ത്യാനികൾ ക്രിസ്തുവിൻെറ പേരിൽ ഏഴാം ദിനം അതായതു് ഞായറാഴ്ചദിനം ഹിന്ദുക്കൾ രവിവാരമായി ആചരിക്കുന്നുണ്ടു്. മുസ്ലിമീങ്ങൾക്കും ഹിന്ദുക്കൾക്കും സാമ്യമായ വിശേഷാൽ ദിവസങ്ങൾ ഉള്ളതായും കാണാവുന്നതാണ്. അല്ലാത്തപക്ഷം ക്രിസ്ത്യാനികളുടെ വിശേഷാൽ ദിവസം ഹിന്ദുവിനും, ഹിന്ദുവിൻെറ വിശേഷാൽ ദിനം ക്രിസ്ത്യാനിക്കും, മുസ്ലിമിനും വിശ്രമദിവസങ്ങളായി ഉപയോഗിക്കാവുന്നതാണല്ലോ. എന്തായാലും ഒഴിവുദിവസങ്ങളുടെ വൈവിധ്യത്തിൽ ഒരു സമമായ തീരുമാനം ഉണ്ടാക്കുന്നതു നന്നായിരിക്കുമെന്നാണ് ഞാൻ പറയുന്നതു. ഓരോരുത്തർക്കു മാത്രമായുള്ള ഒഴിവു മററുള്ളവരുടെ കാര്യനടപ്പിനു ഉദ്ദേശിക്കുന്നതുപോലെയുള്ള പ്രയോജനം ഉണ്ടാകാനിടയുണ്ടോ എന്നു് സംശയിക്കേണ്ടതായിട്ടാണിരിക്കുന്നതു്.

സർ, എല്ലാ മതസ്ഥരുടേയും പുരോഗമനത്തിൽ ഗവർമ്മെൻറിനുള്ള വിശാലമായ മനോഭാവം പ്രകാശിപ്പിച്ചുകാണുന്നതിൽ വളരെ സന്തോഷിക്കേണ്ടിയിരിക്കുന്നു. സന്ദർഭവശാൽ ഇക്കാര്യം കൂടി പറയുന്നതാണ്. ഒരുമതസ്ഥർക്കും അന്യമതസ്ഥരിൽ നിന്നും മനോവേദനയുണ്ടാകാവുന്ന യാതൊരു നടപടികളും ഉണ്ടാകാൻ പാടില്ലെന്നു ഒരു പ്രസ്സ്നോട്ടു ഗവർമ്മെൻറു ഈയ്യിടെ പുറപ്പെടുവിച്ചതു് വളരെ ഉചിതമായ ഒരു തീരുമാനമാകുന്നു. ഞാൻ ഗവർമ്മെൻറിനെ ഇതിൽ പ്രത്യേകം അഭിനന്ദിച്ചുകൊള്ളുന്നു. അവരവരുടെ മതങ്ങളിൽ വിശ്വാസം ജനിപ്പിക്കുന്നതിനും ജനത്തെ തങ്ങളിലേക്കു ആകർഷിക്കുന്നതിനുമായി അന്യമതങ്ങളെ അപലപിക്കുന്ന ഒരു രീതി വളരെനാളായി ഇവിടെ നിലനിന്നുവരികയായിരുന്നു. ആ ദുർവ്യവസായത്തിനു ഗവർമ്മെൻറിൻെറ ശ്രദ്ധയും താക്കീതും ബാധകമായിതീർന്നതു് വളരെവളരെ നന്നായി. മനുഷ്യസ്നേഹത്തെ മറന്ന് മതകാര്യത്തിൽ കുഴപ്പങ്ങൾ വലിച്ചുവയ്ക്കുന്ന കൂട്ടരുടെമേൽ ആരായാലും സക്കാർ കർശനമായ നടപടികൾ നടത്തണം. ഇതു് പരിഷ്കൃത ഗവർമ്മെൻറിൻെറ ചുമതല തന്നെയാണ്.

സർ, പബ്ളിക്ക് ഒഴിവു ദിവസങ്ങളുടെ അനുവാദത്തിനുവേണ്ടി ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയത്തോടു പൂർണ്ണമായി അനുകൂലിക്കുകയും ഗവർമ്മെന്റിന്റെ ദയവേറിയ തീരുമാനം ഇതിലുണ്ടാകുവാൻ ആഗ്രഹിക്കുകയും ചെയ്തുകൊള്ളുന്നു.

MR. P. KUNJUKRISHNAN: Sir, while endorsing the views expressed by the learned mover of the motion and by the honourable members who spoke in support of the motion, I would add a word in connection with the Samadhi day of His Holiness Sri Narayana Guru. I do not want to go into the merits or demerits or the advantages or disadvantages of special holidays. These have already been discussed. I would only say this much. As has been observed here, the late Sri Narayana Guru is a great religious reformer in modern Kerala. He lived in this land, worked among the people of this country and his memory is left green in the minds of thousands of people throughout the length and breadth of this land. His life and precepts have been an example, to thousands of people in this land. He has brought new life, new vigour and has to a great extent altered even the outlook and aspirations of the people of this country.

With special reference to the Ezhava community which has the proud privilege of claiming the late Sri Narayana Guru as one born in that community, I may say that he has revolutionised the community in social, political and religious matters. Apart from the Ezhavas, all backward communities have benefited by his life and teachings. Sir, now is the time, when he is no more, when only his memories are cherished, and his precepts and teachings alone are left behind, now is the time for us to assess the value of his teachings and his work, to follow the example he has set before us. I am sure everyone in this House will join with me when I say that all Hindus consider him a great reformer in modern India, as one who has revolutionised the Hindu religion as a whole. Therefore it is up to us, it is up to the Government, to have his *Samadhi* Day a general holiday throughout the State. At this juncture, I may also invite the attention of Government to the numerous resolutions which have been passed at public meetings held throughout the length and breadth of this country, stressing the necessity for declaring his *Samadhi* Day a general holiday throughout the State. With these words I support the motion.

MR. K. KUNJU PANICKER: May I ask whether the Swamiji did not have disciples among caste Hindus also?

MR. P. KUNJUKRISHNAN: Of course, even among non-Hindus.

PRESIDENT: I think I might say a few words on this matter. I must at the outset make it clear that, in curtailing these holidays, there was not even the remotest intention on the part of Government to make any distinction between community and community and religion and religion, or to start any cross-currents of superiority or inferiority complex between the various communities. It was a matter—I should say—

[President.]

of notoriety that the number of holidays in Travancore was much larger than anywhere else in India. Apart from the impeachment to which I was subjected by one honourable member, I may say that it was not with any particular fancy for over-working oneself that the holidays were curtailed. But it was found that there was hardly any continuous work to do for some days at a stretch. Almost every week, there was one or two holidays. I do not mind confessing that I had very little work to do on many days. The real point was that in educational institutions, the holidays assumed terrible proportions. I believe I would be correct when I say that out of 365 days in a year about 180 or 190 days are holidays, so that practically more than half the number of days in a year are being spent away as holidays. That might or might not be good for school-going children. I dare say the University, in the exercise of its own statutory immunity from Government interference, might discuss the question and again come to the conclusion that teachers and professors can work 2 hours a day and get tired—perhaps they are entitled to get tired after that. (*Laughter.*) That is a matter on which there has always been envious difference of opinion between the officers of the Education Department and those of the other departments. As I said, according to educational expert opinion, it may be correct that, after just 10 hours of work in a week, the tutorial or the educational mind gets completely done up. I do not propose to go into that matter of controversy at present.

Generally speaking, for the ordinary layman not connected with the educational enterprise the position is this. There are the 52 Sundays, the 12 New Moon days—some of them may come on Sundays—together making about 60; there are 16 other holidays, a further 8, and another 23. On the whole, on an average, there are about 100 holidays in the year. Not even half of it is allowed anywhere else; and it occurred to Government that there was nothing very special about Travancore to warrant so many holidays for which such an eloquent plea was put forward by Mr. Sivathanu Pillai.

Then the question was how the holidays were to be reduced. Government have taken certain lines. Criticisms have been made in this House; and undoubtedly they will all be borne in mind, and the whole question carefully looked into. That, I promise, will be done. I would once again make it absolutely clear that, in the action that they have taken, it was not at all the intention of Government to level or cast any slight against any community or religion.

With regard to certain religious observances which were referred to in the course of the debate, let it be remembered that in regard to none of them can it be said that it is observed universally. Take Sankarajayanthi for instance; some persons observe it, others do not. Take even Krishna's birthday. There is possibility for 4 holidays for that alone; because, as it is well known, there is firstly Gokula Ashtami which certain Hindu groups celebrate; and secondly, there is Sri

Jayanthi which the Vaishnavites celebrate—and generally that does not come off on the Gokula Ashtami day. Thirdly, in certain parts of the country, they celebrate what is called the Munithraya Sri Jayanthi which does not fall on either the Sri Jayanthi day or the Gokula Ashtami day. Fourthly, in Sri Jayanthi itself the Sri Rangam Sri Jayanthi is observed by some persons, and that comes off on a fourth day, so that an officer who observes that is entitled to claim that day as a public holiday. The same is the case with Sankara's birthday and the birthday of Buddha. Nobody wants to import religious superiority or inferiority in this matter. The test is whether a particular day is generally observed as holiday by the community as a whole. That test Government have been applying, and are always prepared to apply in fixing the number of holidays. From that point of view, Government will look into the matter. But if the idea is that all the holidays should be restored, all the 100 of them, I think I may straightway inform the honourable members that Government are not equal to the task; they will have to reduce the holidays by one-third or two-fifths. Only they will do it bearing in mind the various criticisms that have been made by the honourable members. I would once again repeat that nobody wants to give rise to any communal differentiation in this matter. In respect of the Sri Narayana Guru Samadhi day, for instance, I hasten to make it clear that there was not even the thought of the slightest disrespect for the Saint when Government declared the Samadhi day as a special holiday to the Ezhavas alone.

Incidentally, I may inform Mr. P. S. Muhamed that both Milad-i-sheriff day and Barawafat are the same; both relate to the birthday of Prophet Mohammed.

I assure the House that the observations made on the question of declaring the Samadhi day of Sri Narayana Guru Swami a general holiday will be carefully considered. Only I would like to point out that similar arguments would be raised in respect of other Hindu holidays. There are certainly some days which, it cannot be reasonably argued, should be general holidays. Take for instance *Gayatri Japam*. I do not wish to enter into any ecclesiastical and doctrinal disputations with Mr. Sivathanu Pillai on the matter. But, as a matter of fact, *Gayatri Japam* is performed between 8 and 11 A. M., on a particular day in the year only by one community. Why other communities which do not observe it should have that as a holiday does not seem obvious to me. All the same, that matter also will be considered in view to the claims advanced and threats made by Mr. Sivathanu Pillai that he would commence performing *Gayatri Japam* from next year onwards.

Then, take for instance the various sub-communities among the Hindus. The Vaishnavites have got certain religious ceremonies which the Sivaites do not perform; —one does not want to say these things—the Sivaites will refuse to take part or even participate in the ceremonies of the Vaishnavites.

[President.]

Take, again, my own case. I have to perform Upakarmam on a certain day which comes off long after the Yejurveda Upakarmom and the Rigveda Upakarmom. I am a Samavedi; on that score I cannot reasonably argue that the Samavedom Upakarmom day should be declared a general holiday and that if that is not done that will be an insult to Brahmins of my Veda.

As I have already indicated, in curtailing holidays, Government have proceeded on the basis that there are certain religious observances in which practically everybody participates; there are others which only certain sects or communities observe; in the former case they have been declared general holidays, and in the latter case they have been declared special holidays. Such special holidays obtain in Madras, Bombay and elsewhere too.

Now, in view of the criticisms that have been made on the floor of this House, the whole list will be reconsidered. But Government can hold out no hopes of increasing the number of holidays: that is a matter on which they have very definite opinion. I do not therefore want the honourable members to proceed on the assumption that the number of holidays will be increased.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: In view of the statement by the Chair, I do not press the motion.

The motion was, by leave of the House, withdrawn.

PROCEDURE RE. DEBATE ON RESOLUTION ON PUBLIC SERVICE RECRUITMENT RULES.

PRESIDENT: I think, in order to make the business more speedy, more expeditious tomorrow, I would ask Mr. Padmanabha Pillai to move his resolution clause by clause.

I have gone through the amendments. Some of them are fundamental and really negatives of the resolution as such. They will be discussed by what may be called a vote *in limine*.

Then, there are certain other amendments which may be moved later after Mr. Padmanabha Pillai has finished moving all clauses of his resolution except such of them as can conceivably be brought in as amendments as and when the different clauses of the resolution are moved by Mr. Padmanabha Pillai.

I hope this debate will be finished tomorrow. As I have already indicated, the proposition of other honourable members will be moved as far as possible in the form of amendments to Mr. Padmanabha Pillai's resolution or as contradictories or negatives of that resolution.

I would ask honourable members to move their propositions one after another, and to take up and discuss Mr. Padmanabha Pillai's resolution clause by clause. Mr. Padmanabha Pillai's motion will be taken up first, and then those of the other honourable members, *viz.*, Mr. T. P. Velayudhan Pillai, Mr. C. Jebamony Nadar, Mr. N. John Joseph, Mr. Kochukunju, Mr. Kochukora Tharakan, Mr. V. Kunjukrishnan, Mr. Kunju Panicker and Mr. K. G. Govindan.

Mr. Francis has given notice of a resolution that no change is necessary. That will be discussed as a negative of Mr. Pandmanabha Pillai's resolution.

The House adjourned at 5. 3 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

Proceedings
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

SECOND ASSEMBLY.

SIXTH SESSION.

Thursday the 25th January, 1940|12th Makaram, 1115.

The Assembly met again in the Legislative Chamber at eleven of the clock with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President in the Chair.

NEW MEMBERS.

The following members were sworn in :—

Mr. M. S. Doraswami Aiyangar (*Ag. Chief Engineer*).

Mr. V. R. Sankaranaryana Pillai (*Ag. Secretary to Government*).

QUESTIONS AND ANSWERS.

Degree-holders employed in the Police Department.

91. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Kartigapally*) : Will the Government be pleased to state :

(*a*) the number of degree-holders employed as clerks, head constables and constables in the Police Department ;

(*b*) the proportion of promotions to fresh recruitments adopted in filling up Inspectors' and Sub-Inspectors' vacancies ; and

(*c*) whether the accepted proportion is applied in all selections ?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*):

(*a*) Clerks 16.

Head Constables 35

Constables 3 in the permanent Reserve and 4 in the temporary Reserve.

(*b*) 75 per cent. of the vacancies of Fourth Grade Inspectors of Police are filled up by direct recruitment and the remaining 25 per cent. by promotion from the Department. There are no Sub-Inspectors in the Police Department excepting a few in the Temporary Armed Reserve. No proportion has been fixed for filling up the posts of the temporary Sub-Inspectors.

(*c*) Yes.

MR. KANNANTHODATH JANARDANAN NAIR : May I know how many Inspectors were selected during the last selection ?

MR. M. K. NILAKANTA AIYAR : I claim notice, Sir.

MR. KANNANTHODATH JANARDANAN NAIR : I don't hear, Sir.

MR. M. K. NILAKANTA AIYAR : I claim notice.

Supply of drinking water in Thekkumbhagam.

92. *MR. A. K. KUMARAN VAIDYAN (*Kunnatnad cum Parur*) : Will the Government be pleased to state whether they have inquired into the necessity of providing good drinking water in Thekkumbhagam in Kottuvally, Parur taluk ?

MR. M. S. DORASWAMI AIYANGAR : No.

G. P. T. 2002—350

Employment of diseased coolies.

93. *MR. K. P. KOCHUKORA THARAKAN (*Kunnathnad cum Parur*): Will the Government be pleased to state :

(*a*) whether it has been brought to the notice of the departmental authorities or the Government that among the coolies in towns there are many afflicted with diseases such as leprosy, ulcers etc., and such people live by the remuneration they get for carrying loads; and

(*b*) whether the employment of such persons in tea shops and hotels is not an offence ?

MR. M. K. NILAKANTA AIYAR : (*a*) The matter had not been brought to notice.

(*b*) It depends upon the circumstances of each case.

Statement, by caste, of the employees in the Anchal Superintendent's Office.

94. *MR. K. P. KOCHUKORA THARAKAN : Will the Government be pleased to lay on the table a statement, by caste, of the employees (showing separately men and women) in the Anchal Superintendent's Office during Karkatakam 1114 ?

MR. V. R. SANKARANARAYANA PILLAI : The *statement is laid on the table.

Uplift of backward communities.

95. *MR. KAVIYOOR K. K. KOCHUKUNJU (*Nominated*): Will the Government be pleased to lay on the table a statement showing ;

(*a*) the amount sanctioned for the uplift of backward communities in 1114 ;

(*b*) the names of the communities towards whose uplift the amount was spent ;

(*c*) the amount utilised for the several communities ; and

(*d*) the purpose for which the amount spent ?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor, University of Travancore*) : (*a*) Rs. 34,406.

(*b*) A list † of communities is laid on the table.

(*c*) It is not practicable to maintain accounts showing the amounts spent for each community.

(*d*) (i) Salary to the Protector.
(ii) Pay to the Establishment.
(iii) Travelling allowance.
(iv) Office Contingencies.
(v) Pay, permanent travelling allowance and contingent allowance to the Field Officers.
(vi) Land acquisition for Colonies, Centres and Burial grounds.

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* *Vide* Appendix I, page 276.

† *Vide* Appendix II, page 277.

(vii) Provision of wells.
(viii) Provision of common buildings, prayer halls, &c.
(ix) Educational concessions, such as grant to Hostels and Orphanages, stipends and scholarships, supply of books, grants to educational institutions.
(x) Industries.
(xi) Travelling allowance to the members of the Advisory Committee ; and
(xii) Other miscellaneous grants.

MR. KAVIYOOR K. K. KOCHUKUNJU: പിന്നോക്കസമുദായങ്ങളെപ്രോത്സാഹിപ്പിക്കുന്നതിന് ഗണ്യമായ ഒരു സംഖ്യ അനുവദിച്ചിരിക്കുന്നതായി കാണുന്നു. എന്നാൽ വർണ്ണവസമുദായത്തിന്റെ പ്രോത്സാഹനത്തിനായി ഇതിൽ എന്തെങ്കിലും സംഖ്യ ചിലവാക്കിയിട്ടുണ്ടോ?

MR. C. V. CHANDRASEKHARAN: The communities known as Varnavas are not included in the list of backward communities entitled to protection.

MR. KAVIYOOR K. K. KOCHUKUNJU: ക്ഷേത്രപ്രവേശനം ഇല്ലാതിരുന്ന കാലത്ത് ക്ഷേത്രത്തിന്റെ മതിലിനകത്തുകൂടി പ്രവേശിക്കാൻപാടില്ലാത്ത അധഃകൃതരെ അല്ലെ ഇന്ന് പിന്നോക്കസമുദായക്കാരായി ഗണിച്ചിരിക്കുന്നത്?

MR. C. V. CHANDRASEKHARAN: The classification is based on economic and social backwardness, mainly, economic backwardness.

Road from Dalavapuram to Attingal.

96. ***MR. VARKALA K. MADHAVAN** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state (*a*) when the work of constructing a road from Dalavapuram to "Attingal was started; and
(*b*) whether it is completed?

MR. M. S. DORASWAMI AIYANGAR: (*a* & *b*) Of the 3 sections which comprise the road, the 2nd section, *i.e.*, from Nilakamukku (Mananaku) to Moonkode was started in Dhanu 1103 M. E. and completed in Karkadagom 1107 M. E. The other two sections are not taken up for improvement due to want of funds.

MR. VARKALA K. MADHAVAN: May I know what action has the Government taken with regard to the work of the 2 remaining sections?

MR. M. S. DORASWAMI AIYANGAR: The estimate has not been sanctioned and it is ready for submission. As soon as it is sanctioned work will be begun.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*): May I know whether the honourable member is aware that the toll-keepers at Eraniel are making a good deal of profit because of the closing of the road from Alakiamandapam junction to Thottiyodu.

MR. M. S. DORASWAMI AIYANGAR: The question does not arise, Sir.

PRESIDENT: What was the answer the honourable member gave?

MR. M. S. DORASWAMI AIYANGAR: Sir, this question does not arise out of the question I have answered.

MR. C. JEBAMONY NADAR : Is the honourable member entitled to say that?

PRESIDENT : No.

MR. C. JEBAMONY NADAR : For how long and why the road has been closed?

MR. M. S DORASWAMI AIYANGAR : The road has been closed because of the concreting work that is going on in the Main Southern Road. When that work is over, the road will be opened.

MR. C. JEBAMONY NADAR : Am I to understand that all these excess profits arising out of this unexpected event is to go to the toll contractors?

MR. C. V. CHANDRASEKHARAN : Sir, on a point of order. The question here is with regard to the road from Dalavapuram to Attingal.

PRESIDENT : I expected a point of order and the question of tolls is irrelevant.

Opening a road from Edava Railway Station to Kappil.

97. ***MR. VARKALA K. MADHAVAN :** Will the Government be pleased to state whether they have received any representation from the public of Edava in Chirayinkil taluk for opening a road from Edava Railway Station to Kappil?

MR. M. S. DORASWAMI AIYANGAR : Yes.

Representation from the Karshaka Sanghom, Kadakampally, Trivandrum.

98. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*) : Will the Government be pleased to state :

(*a*) whether any representation has been received from the *Karshaka Sanghom*, Kadakampally, Trivandrum regarding the construction of a bund where the *Amayattu thodu* () joins *Okulam* () lake; and

(*b*) if the answer to part (*a*) is in the affirmative, what action has been taken in the matter?

MR. M. S. DORASWAMI AIYANGAR : (*a*) Yes.

(*b*) An estimate for the work is under preparation.

Levy of tolls.

99. ***MR. M. R. NARAYANA PILLAI** (*Tiruvalla*) : Will the Government be pleased to state:

(*a*) what the objects are for which tolls are levied on the roads of the State;

(*b*) whether the amounts realised are being used only for those objects;

(*c*) the criterion for the levy of tolls, *i. e.*, whether it is for the use of the roads or only for passing particular points on the roads; and

(*d*) the guiding principles for the location of the toll-gates?

MR. M. S. DORASWAMI AIYANGAR: (*a*) The realisation of a return of at least a portion of the expenditure on the maintenance and upkeep of roads.

(*b*) No.

(*c*) Passing the particular point.

(*d*) Intensity of traffic and heaviness of the expenditure for the maintenance of roads.

MR. M. R. NARAYANA PILLAI: With reference to part (*c*) may I know whether the answer reconciles with the answers to parts (a) & (b)?

MR. M. S. DORASWAMI AIYANGAR: The criterion for the levy of tolls is the use of the roads by vehicles passing over some particular points. That is the best way by which it is possible to levy a tax. It is not always possible to measure the distance each vehicle covers and then fix a toll.

MR. M. R. NARAYANA PILLAI: May I know whether the cost of maintaining the Alwaye-Munnar road is much less than the cost of maintaining the Quilon-Alleppey road in view of the fact that the Alwaye-Munnar road have got only one toll and the Quilon-Alleppey road two?

MR. M. S. DORASWAMI AIYANGAR: It depends upon the importance of the respective roads.

Water-proof side curtains in motor buses.

100. ***MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to state:

(*a*) whether in the case of motor buses permitted to conduct service in the various parts of Travancore the provision of water-proof side curtains has been made obligatory;

(*b*) if there are any directions or rules to the above effect, whether inspections are being made by any one at any time with a view to verify how far such directions or rules are being followed; and

(*c*) if such inspections are made what the times or periods of such inspections are?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) Yes.

(*c*) During the half-yearly examinations of buses and also at other times.

MR. K. P. KOCHUKORA THARAKAN: സൈഡ്കർട്ടൻ പരിശോധിക്കുന്നുണ്ടോ എന്നു ചോദിച്ചതിനു പരിശോധിക്കുന്നുണ്ട് എന്നു മറുപടി പറഞ്ഞിരിക്കുന്നു. എന്നാൽ നിറംമാറിയ കർട്ടൻ ഉണ്ടോ എന്നല്ല എന്റെ ചോദ്യം. വാട്ടർപ്രൂഫ് സൈഡ്കർട്ടൻ ഉണ്ടോ എന്നാണ്.

MR. M. K. NILAKANTA AIYAR: ഉണ്ടെന്നാണ് മറുപടി പറഞ്ഞിട്ടുള്ളത്.

MR. TAMARAPALLIL KOCHUTHOMMEN (*Tiruvalla*): പരിശോധിക്കുന്നതാരാണ്?

MR. M. K. NILAKANTA AIYAR: ഡി. എസ്സ്. പി-യും, എ. എസ്സ്. പി-യും, ട്രാഫിക്ക് ഇൻസ്പെക്ടറന്മാരും അതിനെപ്പററി പരിശോധന നടത്തുന്നുണ്ട്.

. K. P. KOCHUKORA THAR : സൈഡ് കർട്ടൻ കൊടുത്തിട്ടില്ലാത്ത ബസ്സുകളുണ്ടോ?

MR. M. K. NILAKANTA AIY. : ഇല്ല. പരിശോധന നടത്തി അററകുററപ്പെട്ടവയെ നന്നാക്കിക്കൊടുക്കുന്നുണ്ട്.

MR. TAMARAPALLIL KOCHUTHOMMEN : ഏതെല്ലാം സമയത്താണ് പരിശോധിക്കുന്നത്?

MR. M. K. NILAKANTA AIYAR : ഹാഫ് ഇയർ ടെസ്റ്റിംഗ് നടത്തിവരുന്നുണ്ട്. ഡി. എസ്സ്. പി-യും, എ. എസ്സ്. പി-യും, ട്രാഫിക്ക് ഇൻസ്പെക്ടറന്മാരും അതിൻെറ പരിശോധന നടത്തുന്നുണ്ട്. മററു പോലീസ് ഉദ്യോഗസ്ഥന്മാരും കൂടെക്കൂടെ പരിശോധിച്ചു അററകുററപ്പെട്ടുകാണുന്നവയെ മാററിക്കയൊ അററകുററങ്ങൾ തീർപ്പിക്കയൊ ചെയ്തുവരുന്നുണ്ട്.

MR. KOTTALIL P. ABRAHAM (*uvattupuzha* cum *Devicolam*): What is meant by half-yearly examination of buses ?

MR. M. K. NILAKANTA AIYAR : That is, these buses are examined twice a year.

MR. KOTTALIL P. ABRAHAM : During which months ?

MR. M. K. NILAKANTA AIYAR : During Chingom and Kumbhom.

MR. KOTTALIL P. ABRAHAM : May I know whether by examining in Chingom, when the monsoon will be over, one could find whether the curtain is water-proof ?

MR. M. K. NILAKANTA AIYAR : Whether a cloth is water-proof or not can easily be found out even during the non-monsoon months.

Pakuthi maps.

101. ***MR. K. P. KOCHUKORA THARAKAN:** With reference to item No. 1 Pakuthi maps, scale, 16 inches to 1 mile at chs. 14 per sq . mile or fraction thereof appearing in the Survey Departmental sheet of the Travancore Government Gazette, will the Government leased to state :

(*a*) whether it is usual to sell the map of a particular pakuthi as a whole ;

(*b*) since the map of a pakuthi contains many sheets, w her it is usual to sell one or two sheets of such map in accordance with he requirements of the purchasers, at the tariff rate, in respect of the area comprised in those sheets ; and

(*c*) if it is not usual to sell the sheets relating to a pakuthi separately, the reason therefor.

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner* : (*a*) Yes.

(*b*) & (*c*) No, as there are practical difficulties in detaching separate sheets from complete sets.

MR. K. P. KOCHUKORA THARAKAN : പകുതി മ്യാപ്പിനു ൫൪ ചക്രം വിലയുണ്ടെന്നു കാണുന്നു. എന്നാൽ ഈ വിലക്ക് ആർക്കും കിട്ടുകയില്ല. ഒരു സർവെ നമ്പരിനെപ്പററിയുള്ള സംഗതികൾ അറിയാൻ പത്തോ പന്ത്രണ്ടോ രൂപാ കൊടുത്തു പകുതി മ്യാപ്പ് മുഴുവൻ വാങ്ങിക്കേണ്ടിയിരിക്കുന്നു. അതിന്റെ ഷീററുകൾ പ്രത്യേകമായി എടുക്കാൻ പ്രയാസമെന്നാണ് മറുപടിയിൽ പറഞ്ഞുകാണുന്നത്. ഷീററുകൾ പ്രത്യേകം എടുക്കാൻ എന്താണ് വിഷമം?

MR. M. RAMACHANDRA RAO : The answer shows that there are some practical difficulties in detaching separate sheets from complete sets. But, any way, I assure the honourable member that the matter will be looked into again.

Construction of quarters for the Commissioner, Devicolam.

102. * **MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to state whether in view of the abolition of the Devicolam Commissioner's post and of the amalgamation of the Devicolam Division with the Kottayam Division there is any necessity for constructing residential quarters for the Commissioner at Devicolam and whether any such building is being constructed there at present ?

MR. M. RAMACHANDRA RAO : The construction of residential quarters for the Commssioner, Devicolam was sanctioned by Government long before the abolition of the Devicolam Division.

The building has been constructed and has been reserved as a Government House.

Land assigned on concessional terms to members of backward communities.

103. * **MR. T. T. KESAVAN SASTRI** (*Nominated*) : Will the Government be pleased to state the extent of land assigned on concessional terms to members of backward communities in each of the taluks of Pathanapuram and Kunnattur, during the years 1111, 1112, 1113 and 1114 ?

MR. M. RAMACHANDRA RAO : A statement* furnishing the information is placed on the table.

Complaints against the merchants.

104. * **MR. T. T. KESAVAN SASTRI** : Will the Government be pleased to state :

(*a*) whether complaints have been received against the merchants who have exploited war conditions for purposes of profiteering ; and

(*b*) if so, whether such merchants have been punished or warned ?

MR. M. K. NILAKANTA AIYAR : (*a*) and (*b*) Yes.

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* *Vide* Appendix III, page 277.

MR. T. T. KESAVAN SASTRI : എങ്ങിനെയുള്ള ശിക്ഷയാണ് നൽകിയിട്ടുള്ളതെന്നു പറയാമോ?

MR. M. K. NILAKANTA AIYAR : ഫൈൻ ശിക്ഷയാണ് കൊടുത്തിട്ടുള്ളതു്.

MR. T. T. KESAVAN SASTRI: ഇങ്ങിനെ ശിക്ഷിച്ചതിനുശേഷം അങ്ങിനെയുള്ള വില്പനയെ സംബന്ധിച്ചു അന്വേഷിച്ചിട്ടുണ്ടോ?

MR. M. K. NILAKANTA AIYAR : വളരെ ശ്രദ്ധയോടുകൂടി അന്വേഷിക്കുന്നുണ്ടു്.

MR. T. T. KESAVAN SASTRI: ഈ വിഷയത്തിൽ ഗവൺമെണ്ടിന്റെ സത്വരശ്രദ്ധ പതിഞ്ഞതുകൊണ്ടു പൊതുജനങ്ങൾക്കു് കൂടുതൽ സമാധാനം ഉണ്ടെന്നുള്ള വിവരം അറിയാമോ?

MR. M. K. NILAKANTA AIYAR : അങ്ങിനെ ഉണ്ടെന്നു കാണുന്നതിൽ വളരെ സന്തോഷമുണ്ടു്.

Complaints against merchants after fixing the prices of articles.

105. ***MR. T. T. KESAVAN SASTRI** : Will the Government be pleased to state :

(*a*) whether there have been any complaints against any merchants after the prices of articles were fixed by the Government ; and

(*b*) if so, the localities to which those merchants belonged ?

MR. M. K. NILAKANTA AIYAR : (*a*) Yes.

(*b*) Thuckalai, Trivandrum (Cantonment), Chengannoor, Kottayam, Pariyaram kara in Karugachal, Palai in Meenachil, Kuthattukulam, Parur and Kanjirapalli.

Pilgrims to Sabarimala.

106. ***MR. T. T. KESAVAN SASTRI** : Will the Government be pleased to state :

(*a*) whether there is a large increase in the number of pilgrims to Sabarimala as compared to that of previous years ; and

(*b*) whether they have taken care to provide the necessary facilities to the pilgrims ?

MR. V. R. SANKARANARAYANA PILLAI : (*a*) There has been large increase in the number of pilgrims this year as compared with previous years.

(*b*) Government made elaborate arrangements to provide necessary facilities to pilgrims in the matter of accommodation, sanitation, etc. The supply of good drinking water was comparatively satisfactory this year.

MR. T. T KESAVAN SASTRI : ഈ ആണ്ടിൽ എത്രായിരം ആളുകൾ ശബരിമലയിൽ തീർത്ഥയാത്രക്കാരായി പോയിട്ടുണ്ടെന്നറിയാമോ?

MR. V. R. SANKARA NARAYANA PILLAI: അതിനെപ്പറ്റി ക്ലിപ്തമായി അറിയാൻ പാടില്ല. ഉദ്ദേശം ഒരു ലക്ഷം ആളുകൾ കാണും.

MR. T. T. KESAVAN SASTRI: ക്ഷേത്രപ്രവേശന വിളംബരത്തിനു ശേഷം തീർത്ഥയാത്രക്കാരുടെ സംഖ്യ പൂർവ്വാധികം വർദ്ധിച്ചിട്ടുണ്ടെന്നുള്ള സംഗതി ഗവൺമെന്റിനറിയാമോ?

MR. V. R. SANKARA NARAYANA PILLAI: വർദ്ധിച്ചിട്ടുണ്ടായിരിക്കാം?

MR. S. CHATTANATHA KARAYALAR: May I know Sir, that the progressive increase in the number of pilgrims to Sabarimala is not creating a problem for Government?

MR. M. K NILAKANTA AIYAR: Yes, Sir. There are certain difficulties to be solved and Government are taking every step to meet the difficulties of the pilgrims.

MR. S. CHATTANATHA KARAYALAR: Sir, I am asking whether Government intend to tackle this problem by discouraging such increase of numbers?

MR. M. K. NILAKANTA AIYAR: No, Sir. On the other hand Government are taking every steps to give all conveniences and facilities to pilgrims especially in the matter of water supply which is mostly needed by them.

MR. P. SIVARAMA PILLAI (*Minachil cum Todupuzha*): Was there any complaint this year regarding water supply?

MR. M. K. NILAKANTA AIYAR: No, Sir.

MR. K. R. NARAYANAN: ശബരിമല തീർത്ഥയാത്രക്കാരിൽനിന്നും കഴിഞ്ഞ കൊല്ലം എന്തു വരവുണ്ടായിരുന്നു എന്ന് പറയാമോ?

MR. V. R. SANKARA NARAYANA PILLAI: ൧൧൧൮-ലെ വരവാണോ അറിയേണ്ടതു്?

MR. K. R. NARAYANAN: അതെ.

MR. V. R. SANKARA NARAYANA PILLAI: അതിനെപ്പറ്റി തീർച്ചപറയാൻ സാധിക്കുകയില്ല.

MR. K. R. NARAYANAN: ൧൧൧൮-ൽ എന്തു വരവുണ്ടായിരുന്നു എന്ന ചോദ്യത്തിനു പറയാൻ കഴിയുകയില്ല എന്ന് ഉത്തരം പറയുന്നു.

PRESIDENT: If honourable members want elucidation on these matters apart from putting interpellation on the floor of the House, there will be no objection in writing to the Secretary asking for information and the department will supply the answers. Honourable members come here prepared with certain aspect of the questions which are cognate to the main one the answers of which the officer concerned may not be able to give straight way.

Supply of water by electricity for the farms in Edavoor.

107. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(a) whether they have received any application to supply water by electricity for the farms in Edavoor in the Kunnatnad taluk

(b) if so, when; and

(c) the proceedings that the Government took for the same?

MR. M. K. NILAKANTA AIYAR: (a) Yes.

(b) In October 1939.

(c) The application will be considered after the results of the experiments now being carried out by the Electrical Department in the paddy fields at Kuthiathodu are known.

MR. A. K. KUMARAN VAIDYAN: ഇപ്പോഴത്തെ പരീക്ഷണങ്ങൾ വിജയകരമായി പര്യവസാനിച്ചാൽ മററുസ്ഥലങ്ങളിൽക്കൂടി അങ്ങിനെ ചെയ്യുന്നതിന് ദയവുണ്ടാകുമോ?

MR. M. K. NILAKANTA AIYAR: തീർച്ചയായും ഗവൺമെൻറ് അതിനെപ്പററി ആലോചിക്കുന്നതാണ്.

MR. A. K. KUMARAN VAIDYAN: ഇതുപോലെ ആദായകരമാണെന്നു കണ്ടാൽ അങ്ങിനെ ചെയ്യുന്നതിന് ദയവുണ്ടാകുമോ?

MR. M. K. NILAKANTA AIYAR: എല്ലാ സ്ഥലത്തും ഉള്ളവക്ക് സപ്ലൈ ചെയ്യാൻ സാധിക്കുമെന്ന് ഇപ്പോൾ പറയാൻ നിവർത്തിയില്ല.

MR. K. P. KOCHUKORA THARAKAN: കൃഷിക്കാരുടെ ആവശ്യം കഴിയാതെ കറൻറ് പുറത്തുള്ളവർക്ക് സപ്ലൈ ചെയ്യുമോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

MR. M. K. NILAKANTA AIYAR: അതിനും ഇപ്പോൾ മറുപടി പറയാൻ തരമില്ല.

Issue of 'G' permits to Pleasure Cars.

108. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state:

(a) whether there is a rule that pleasure cars plying for hire should take 'G' permits;

(b) if there is such a rule, the number of pleasure cars, now plying for hire in Travancore which have taken 'G' permits;

(c) whether there is any rule that as in the case of buses, pleasure cars having 'G' permits could run only for a certain number of years;

(d) whether 'G' permits can be given to pleasure cars however old they may be;

(e) whether pleasure cars are plying for hire without taking 'G' permits; and

(*f*) whether passengers are being put to difficulties in several parts of Travancore at present by the use of very old cars as taxi cabs which are not in sound working order and which have not taken 'G' permits ?

MR. M. K. NILAKANTA AIYAR : (*a*) Yes.

(*b*) 257.

(*c*) No. Pleasure cars are given 'G' permits so long as they are roadworthy.

(*d*) No.

(*e*) & (*f*) A few cases have been detected and the offenders are being proceeded against.

MR. K. P. KOCHUKORA THARAKAN : ൨൫൭ ജീ. പെർമിററുകൾകൊടുത്തിട്ടുള്ള കാറുകൾ ഇവിടെ വാടകക്ക് ഓടിക്കപ്പെടുന്നുണ്ടെന്ന് പറഞ്ഞു കാണുന്നു. എന്നാൽ ഇത്രയും കാറുകൾ മാത്രമേ വാടകക്ക് ഓടിക്കുന്നുള്ളോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

MR. M. K. NILAKANTA AIYAR : കൂടുതൽ ഉണ്ടെന്നു കാണുന്നുവെങ്കിൽ അവരെ പ്രാസിക്യൂട്ട് ചെയ്യും.

MR. K. P. KOCHUKORA THARAKAN : എത്രകാലം പഴക്കമുള്ള കാറുകൾക്ക് ജീ പെർമിററ് കൊടുക്കുമെന്നും എത്രകാലം കഴിഞ്ഞാൽ കൊടുക്കുകയില്ലെന്നും അറിയാൻ നിവർത്തിയില്ല. കാറുകളെ ടെസ്ററ് ചെയ്തു പെർമിററ് കൊടുക്കുന്നതു് എന്തു് മാനദണ്ഡത്തെ ആസ്പദമാക്കിയാണ് ?

MR. M. K. NILAKANTA AIYAR : കാറുകൾ ഉപയോഗയോഗ്യമാണോ അല്ലയോ എന്ന് അതിൻെറ ടെസ്ററിംഗ്കൊണ്ടു അറിയാൻ സാധിക്കുന്നതാണ്.

MR. K. P. KOCHUKORA THARAKAN : തിരുവിതാംകൂറിലെ മിക്ക താലൂക്കുകളിലും ഉപയോഗയോഗ്യമല്ലാത്ത കാറുകൾ ധാരാളമുണ്ടെന്നുള്ള സംഗതി ഗവൺമെൻറിൻെറ ദൃഷ്ടിയിൽ പെട്ടിട്ടുണ്ടോ?

MR. M. K. NILAKANTA AIYAR : അങ്ങിനെ ഉണ്ടെന്നു ഏതെങ്കിലും മെമ്പർ അറിവുതരുന്നതായാൽ അതിനെപ്പററി നടപടി നടത്താം.

MR. P. KUNJUKRISHNAN (*Quilon cum Kottarakara*) : May I know whether Government have taken any estimate of the total number of hired cars in the State ?

MR. M. K. NILAKANTA AIYAR : Yes.

MR. P. KUNJUKRISHNAN : May I know how many are there ?

MR. M. K. NILAKANTA AIYAR : It is 257 in number.

MR. J. W. TOLSON : May I know from Government whether it is dangerous to overload the pleasure cars ?

MR. M. K. NILAKANTA AIYAR: Overloading is dangerous.

MR. C. JEBAMONY NADAR: May I know whether there is such a classification as pleasure cars?

MR. M. K. NILAKANTA AIYAR: There are several makes of cars.

PRESIDENT: Does the honourable member object to the classification of 'pleasure cars', as pleasure in contrast to pain? Apparently, it is a Travancore terminology. I have not come across it anywhere else.

Junghar service at the Ittynayarkadavu Ferry on the Chengannur-Mannar road.

109 ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether they have already sanctioned the opening of a *junghar* service at the Ittynayarkadavu Ferry on the Chengannur-Mannar road *via* Puliyoor; and

(*b*) whether the *junghar* service has actually been opened, and if not, why?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) The *junghar* service has been arranged to be started.

Construction of the Aykkadu and Kozhipalam bridges on the Chengannur-Aranmula road.

110. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: Will the Government be pleased to state:

(*a*) the date on which sanction has been accorded for the construction of the Aykkadu and Kozhipalam bridges on the Chengannur-Aranmula road;

(*b*) the year in which the Aykkadu bridge was completed;

(*c*) the steps taken hitherto for the construction of the Kozhipalam bridge; and

(*d*) the reason for the delay in the construction of the Kozhipalam bridge?

MR. M. S. DORASWAMI AIYANGAR: (*a*) 22-11-1935 and 9-7-1937 respectively.

(*b*) 1937.

(*c*) The lands required are in the course of acquisition.

(*d*) Want of funds.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether the Chief Engineer has submitted to Government any estimate for the construction of the Kozhipalam bridge?

MR. M. S. DORASWAMI AIYANGAR: Yes. An estimate has been submitted and sanctioned.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the amount required as per that estimate for the construction of the bridge?

MR. M. S. DORASWAMI AIYANGAR: Rs. 18,000.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the name of the bridges that have been already constructed for which sanction was accorded after 9-7-1937?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether any bridge has been constructed for which sanction was accorded after 9-7-1937.

MR. M. S. DORASWAMI AIYANGAR: There are a number of bridges which have been constructed.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: That is not my question. May I know whether any bridge has been constructed for which sanction has been accorded by Government after 9-7-1937?

MR. M. S. DORASWAMI AIYANGAR: There might have been; I claim notice.

Sale of printed forms to schools.

111 ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the amount realised during the year 1114 M. E., from the sale of the necessary printed forms to schools; and

(*b*) the present method of realising the price of those forms?

MR. M. K. NILAKANTA AIYAR: (*a*) Rs. 62 Chs. 2 C. 1.

(*b*) The parties requiring the forms obtain them direct from the Divisional Inspectors or the Assistant Inspectors of schools as the case may be after remitting the prescribed price in the Government Treasury and producing the chalan receipt to the respective offices.

MR. P. NARAYANA PILLAI: Is there any possibility of selling these forms from the office without remitting money in the Treasury?

MR. M. K. NILAKANTA AIYAR: If any means is suggested it will be considered.

MR. P. NARAYANA PILLAI: Why not sell it through the Anchal Office just as stamps and cards are sold?

MR. M. K. NILAKANTA AIYAR: That is a matter for consideration.

Construction of the road connecting Dharmapuram road with the Rajakkamangalam-Nagercoil road.

112 ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state:

(*a*) whether tenders have been invited for constructing the road connecting Dharmapuram road with Rajakkamangalam-Nagercoil road which is sanctioned according to the budget estimate under P. W. D. works for 1115 M. E.; and

(*b*) if the answer to part (*a*) is in the negative, the reasons therefor?

MR. M. S. DORASWAMI AIYANGAR: (a) No.

(b) Because the required lands have not been acquired and handed over to the P. W. D.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the P. W. D. has moved Government for the acquisition of the land?

MR. M. S. DORASWAMI AIYANGAR: Yes. It was moved as early as 1107.

Payments made in each quarter of 1114 in the Nagercoil P. W. Division.

113 * **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to lay on the table a statement showing:

(a) the payments made in each quarter of 1114 on account of works in the Nagercoil P. W. Division; and

(b) the payments made in Karkatagam alone in 1114?

MR. M. S. DORASWAMI AIYANGAR: The required statement* is laid on the table.

MR. K. NARAYANAPERUMAL NADAR: May I know why there is such delay in the payment?

MR. M. S. DORASWAMI AIYANGAR: Generally delay occurs, in the matter of payments for works done, on account of various reasons, specially owing to land acquisition being delayed, estimates being delayed sanction, so much so, it was not possible to show proportionate expenditure in all quarters.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any proportion was fixed as the amount to be spent for each quarter?

MR. M. S. DORASWAMI AIYANGAR: There is no definite proportion. But there is an understanding that in the first quarter about fifteen per cent. will have to be spent and in the second and third quarters about 25 per cent. each and the balance 35 per cent. in the fourth quarter.

MR. K. NARAYANAPERUMAL NADAR: May I know whether this proportion is observed by the Divisional Officer in the Nagercoil Division?

MR. M. S. DORASWAMI AIYANGAR: It has not been observed in the present instance.

MR. K. P. KOCHUKORA THARAKAN: പേമെൻറിൽ നാലും അഞ്ചും കൊല്ലത്തെ കാലതാമസം വരുന്നതായി കാണുന്നുണ്ട്. അങ്ങിനെ വരാതിരിക്കുന്നതിന് എന്തെങ്കിലും നിർദ്ദേശം ചീഫ് ഇഞ്ചിനീയർ ഗവണ്മെൻറിലേക്ക് സമർപ്പിച്ചിട്ടുണ്ടോ?

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* *Vide* Appendix IV page 278.

MR. M. S. DORASWAMY AIYENGAR. This matter has been brought to the notice of Government on each occasion.

Death of a labourer in Hopkin and Williams Company.

114. * **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether it was brought to the notice of the Government that in Karkatakam 1114 a male labourer in Hopkin and Williams Company in Manavalakurichi was killed in the factory as a result of land-slide; and

(b) whether any inquest was held by the Police?

MR. M. K. NILAKANTA AIYAR: (a) Yes.

(b) Yes.

MR. K. NARAYANAPERUMAL NADAR: May I know the exact date and hour of the death of the labourer in the Manavalakurichi factory?

MR. M. K. NILAKANTA AIYAR: On 9-8-1939, at 2. 15 p. m.

MR. K. NARAYANAPERUMAL NADAR: When was the information given to the Police authorities?

MR. M. K. NILAKANTA AIYAR: They were immediately informed of it.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any information was given to the Chief Inspector of Factories?

MR. M. K. NILAKANTA AIYAR: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know, whether it is not a statutory duty to give information to the Inspector of Factories?

MR. M. K. NILAKANTA AIYAR: The District Magistrate, the D. S. P. and the Inspector of the nearest police station were informed.

MR. M. SIVATHANU PILLAI (*Tovala cum Agastiswaram*): May I know how land slide occurred—the nature of it? Is it anywhere inside the factory? I would like to know the place exactly where it occured.

MR. M. K. NILAKANTA AIYAR: I claim notice.

MR. M. SIVATHANU PILLAI: May I know whether Government enquired into the matter?

MR. M. K. NILAKANTA AIYAR: Yes. The District Magistrate was asked to enquire into the matter. He reported that the whole thing was the result of an accident.

Suspension of Deputy Anchal Master in the Trivandrum Chief Office.

115. * **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state whether the Deputy Anchal Master in the Trivandrum Chief Office was suspended in 1114?

MR. V. R. SANKARANARAYANA PILLAI: Yes.

MR. K. NARAYANAPERUMAL NADAR: May I know why he has been suspended?

MR. V. R. SANKARANARAYANA PILLAI: He was involved in a defalcation case.

Confirmation of Mr. Yegnanarayana Aiyar, Miss Lissy and Miss Sosamma.

116 *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state whether in the Anchal Department in 1113, some undergraduates like Mr. Yegnanarayana Aiyar, Miss Lissy, and Miss Sosamma were confirmed, disregarding the claims of many graduates senior to them?

MR. V. R. SANKARANARAYANA PILLAI: No.

Hindu Nadars in the Anchal Department.

117 *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state

(a) the number of Hindu Nadars in permanent posts in the superior service of the Anchal Department; and

(b) the number of Nadar clerk-volunteers eligible for permanent posts in the superior service of the Anchal Department?

MR. V. R. SANKARANARAYANA PILLAI: (a) Nil.

(b) 4.

Completion reports due from the Nagercoil P. W. Division.

118 *MR. K NARAYANAPERUMAL NADAR: Will the Government be pleased to state:

(a) the number of completion reports due from the Nagercoil P. W. Division at the end of the year 1114;

(b) the number of completion reports pending for more than one year but below 2 years; and

(c) the number of completion reports pending for periods below one year?

MR. M. S. DORASWAMI AIYANGAR: (a) 40.

(b) 1.

(c) 39.

MR. K. NARAYANAPERUMAL NADAR: May I know why there was such inordinate delay in sending up completion reports?

MR. M. S. DORASWAMI AIYANGAR: I do not see that there has been inordinate delay. The 39 cases are below an year and they are sent in quick succession. Out of these 39 cases, already 6 cases have been submitted since.

Speech delivered by the Inspector-General of Police.

119. *MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Will the Government be pleased to state:

(a) whether they are aware of the speech delivered by Khan Bahadur G. S. Abdul Karim Sahib, the Inspector-General of Police, at the public meeting held at Neyyattinkara under the presidency of the Director of Ayurveda on the 28th Vrischikam 1115; and

(b) whether they are aware of the translation of the above speech published at pages 2 and 3 of the "Malayali" dated 16th December 1939?

MR. M. K. NILAKANTA AIYAR : (*a*) Newspaper reports of a speech said to have been delivered by the Inspector-General of Police, on the occasion of the laying of the foundation-stone of a memorial hospital at Neyyattinkara, by the Honorary Director of Ayurveda, on the 27th Vrischigom 1115, have been brought to the notice of Government.

(*b*) Government have seen a report of the speech referred to in (a) in the evening edition of the "Malayali" dated 15-12-1939.

Speech delivered by Khan Bahadur G. S. Abdul Karim Sahib at the public meeting held at Neyyattinkara.

120. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** : Will the Government be pleased to state :

(*a*) whether the following statements of facts contained in the speech delivered by Khan Bahadur G. S. Abdul Karim Sahib at the public meeting held at Neyyattinkara, on the 28th Vrischikam 1115, under the presidency of the Director of Ayurveda, and published at pages 2 and 3 of the "Malayali" dated 16th December 1939, are true:

"(i) Sir. C. P., for and on behalf of the Native States, and Mr. Jinnah, have already buried the Federation;

(ii) on the third day of the compromise talk with a political organisation in Travancore, Sir C. P. has entrusted them with a scheme of constitutional reforms, which he himself had prepared, suitable for Travancore, and also on the lines of the constitution in force in the countries of America, France and Russia;

(iii) I inform you that constitutional reforms will be effected in Travancore soon";

(*b*) whether he was authorised to make the above statements; and

(*c*) whether the Government or the Dewan hold themselves responsible for the above statements?

MR. M. K. NILAKANTA AIYAR : Statements like the one referred to made by individual officers and not by the Head of the Administration are not binding on Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, may I know the part of the question to which the answer given is a proper one?

MR. M. K. NILAKANTA AIYAR : The answer was given for the whole question.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, I was asking which is the part of the question to which the answer given is a proper one?

MR. M. K. NILAKANTA AIYAR : The answer given is meant for all the parts.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know whether the statement of facts involved in Nos. 1, 2 and 3 in part (*a*) of the question are true?

MR. M. K. NILAKANTA AIYAR : The Malayali says that a speech was delivered.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : That is not my question, Sir. I was asking whether the specific statements stated in my question namely items (i), (ii) and (iii) in part (*a*) are true?

MR. M. K. NILAKANTA AIYAR : It has been already stated that statements like the one referred to made by individual officers and not by the Head of the Administration are not binding on Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, that is not my question. I want to know whether the statements are true?

MR. M. K. NILAKANTA AIYAR : No. They are not true.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI ; May I know from the Government whether they have perused the issue of the 'Malayali' referred to in the question?

MR. M. K. NILAKANTA AIYAR : Yes.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know from the Government whether it can be seen from that speech that the Inspector General of Police has made these three statements during the course of his speech delivered at the public meeting?

MR. M. K. NILAKANTA AIYAR : I said yes.

PRESIDENT : Or rather he says that the 'Malayali' says so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know whether Government have enquired as to whether the Inspector General has actually made the statement as reported in the 'Malayali'?

MR. M. K. NILAKANTA AIYAR : The Inspector General's attention was drawn to the communique issued by Government on 30-5-1939 and he was told that if he has made such a statement, he was wrong.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, then, am I to take it that the Inspector General of Police has admitted unequivocally that he has made these three statements during the course of his speech?

MR. M. K. NILAKANTA AIYAR : I have not said so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know then, whether he has actually made these statements?

PRESIDENT : I take it that the Government do not place any reliance on the report of the Malayali.

Has the officer concerned been asked about this?

MR. M. K. NILAKANTA AIYAR : No.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : But, having regard to the Press Communique issued on 30-5-39, may I know whether this particular officer had been asked by Government as to whether he had actually made these three statements during the course of his speech?

MR. M. K. NILAKANTA AIYAR : No, Sir ; this particular question was not put to him.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know the reason why it was not put?

MR. M. K. NILAKANTA AIYAR: Because it was thought unnecessary.

PRESIDENT: Obviously because no man except one out of Bedlam could have made such a statement. Because, Sir C. P. and many people know that whatever may be the exact state of suspended animation of the Federation, the process of burial has not yet started and everyone knows the actual facts regarding the compromise talk, the truth being that there is no compromise talk. People know that there is no talk of effecting constitutional reforms soon except to the extent to which Government have made definite statements. Therefore the statements in the 'Malayali' are inaccurate and the attention of the officer has been drawn to it.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Before deciding the question whether the statement was inaccurate or not, may I know whether it was not thought necessary to ascertain the fact from the officer concerned?

MR. M. K. NILAKANTA AIYAR: Government did not think it necessary. All that Government did was to inform him that if he had made the speech he was wrong in having done so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: If the Inspector-General of Police has been told that he was wrong to have said so, may I know whether he has admitted the fact of having made these three statements.

MR. M. K. NILAKANTA AIYAR: No.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether that fact has been ascertained from the Inspector-General himself?

MR. M. K. NILAKANTA AIYAR: I have made it clear that as soon as the attention of the Government was drawn to it, the Inspector-General of Police was told that if he had made the statement he was not in order in doing so as was stressed in the communique.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Are the Government aware whether the Inspector-General of Police had made such statements on previous occasions also?

MR. M. K. NILAKANTA AIYAR: On one occasion he did and the Government told him then that he should not do so in future.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the action taken by Government on that occasion?

MR. M. K. NILAKANTA AIYAR: He was personally told that he should not indulge in such matters hereafter.

MR. M. SIVATHANU PILLAI: May I know whether any reply to the communication of the Government to the effect that if he had spoken in these words he was wrong, was received?

PRESIDENT: Honourable members are not allowed to know the details of the communication that passed between an officer and Government.

MR. M. SIVATHANU PILLAI: Then another question. I do not know whether I am entitled to have an answer for the previous question.

PRESIDENT : Any correspondence or any interview between the officers and the Government, as Government is a corporate body, must be treated as confidential.

MR. M. SIVATHANU PILLAI : Sir, I am far from eliciting an information with regard to the details of the correspondence that passed between Government and the Head of any department or officer. I am at the point whether he has given any reply to the communication?

PRESIDENT : It is trying to get an information which is treated confidential.

MR. M. SIVATHANU PILLAI : Then, another question, Sir. May I know whether Government have warned that paper which published such untrue statements?

MR. M. K. NILAKANTA AIYAR : No.

MR. P. SIVARAMA PILLAI : Since Government have admitted that the Inspector-General of Police has made similar statements on a previous occasion, is it not possible to believe that he has made such a statement during the course of his speech at Neyyattinkara also?

MR. M. K. NILAKANTA AIYAR : I have already said that Government looked into the matter and informed the Inspector-General of Police that he was wrong if he had made the statement.

MR. C. JEBAMONY NADAR : May I know whether there was any Government Shorthand Reporter present at that meeting?

MR. M. K. NILAKANTA AIYAR : I am not quite sure.

MR. P. NARAYANA PILLAI: May I know whether Government cared to get an explanation from the Officer concerned for making such a statement?

MR. M. K. NILAKANTA AIYAR : He has been told that he was not in order in having made that statement if he had done so.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether the officer concerned got the permission of the Government before he proceeded to deliver the speech?

MR. M. K. NILAKANTA AIYAR : No.

MR. KANNANTHODATH JANARDANAN NAIR : Sir, May I know whether by certain standing orders, an officer of the State is not expected to get the permission of the Government before he proceeds to make a speech or statement, especially so when it pertains to something political?

MR. M. K. NILAKANTA AIYAR : Yes.

MR. KANNANTHODATH JANARDANAN NAIR : Then may I know what action was taken in this respect when it was observed that the Inspector-General of Police went outside the limit of the standing orders?

MR. M. K. NILAKANTA AIYAR : I have answered this question many a time, Sir.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : പോലീസ് ഉദ്യോഗസ്ഥന്മാരുടെ ചിലപ്രത്യേക അവസരങ്ങളിലുള്ള പ്രവൃത്തികളും വാക്കുകളും ഗൗരവതരമായി എടുക്കാറുണ്ടോ?

MR. M. K. NILAKANTA AIYAR : അവസരം ഏതായാലും, ചെയ്യാൻ പാടില്ലാത്തതും പറയാൻ പാടില്ലാത്തതും പാടില്ല.

MR. T. C. KESAVA PILLAI : ആപൽഘട്ടങ്ങളിൽ ചിലപ്പോൾ പോലീസുകാർക്ക് കള്ളം പറയേണ്ടിവരുന്നുണ്ട്. അതിനെ ഗൗരവമായി ഗണിക്കാമോ ?

MR. M. K. NILAKANTA AIYAR : കള്ളം പറയാൻ പാടില്ല.

MR. K. P. KOCHUKORA THARAKAN : ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷന്മാർ അവാസ്തവപ്രസ്താവനകൾ പുറപ്പെടുവിക്കുന്നതു സംബന്ധിച്ച് നടപടി നടത്തീട്ടുണ്ടോ ?

MR. M. K. NILAKANTA AIYAR : ഈ സംഗതിയിൽ അങ്ങിനെ ചെയ്യരുതെന്ന് പറഞ്ഞിട്ടുണ്ട്.

State Congress political conference at Karunagapally.

121. ***MR. K. NARAYANAPERUMAL NADAR** : Will the Government be pleased to state :

(*a*) whether the recent State Congress political conference at Karunagapally was banned ;

(*b*) whether any press communique was issued to that effect on September 4, 1939 ; and

(*c*) whether they will be pleased to lay on the table a copy of the press communique issued on 4th September 1939 by the Director of Information ?

MR. M. K. NILAKANTA AIYAR : (*a*) The answer is in the nagative.

(*b*) This does not arise in view of the answer to part (a)

(*c*) A copy of the press communique *is placed on the table.

MR. K. NARAYANAPERUMAL NADAR : May I know whether the Press Communique referred to results in the banning of the State Congress meeting at Karunagapally ?

MR. M. K. NILAKANTA AIYAR : That is a question of interpretation of the communique.

PRESIDENT : The communique has been inserted in the answer.

MR. M. K. NILAKANTA AIYAR : Yes, Sir. In the appendix.

Commercial Assistant to the Transport Superintendent.

122. ***MR. KANNANTHODATH JANARDANAN NAIR** : Will the Government be pleased to state :

(*a*) what the pay of the Commercial Assistant to the Transport Superintendent is ;

(*b*) what work he is turning out in the department ; and

(*c*) what the present incumbent's qualifications are ?

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* *Vide* Appendix V— Page 278.

MR. K. SANKARAN (*Ag. Secretary to Government*): (*a*) Rs. 75 per mensem.

(*b*) Investigation of public complaints, maintenance of staff records, enquiry in respect of Departmental matters etc.

(*c*) B. A. degree.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the Commercial Assistant has got any special qualifications?

MR. K. SANKARAN: He is a graduate.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether he has got special qualification for the post?

MR. K. SANKARAN: He has got previous experience.

MR. KANNANTHODATH JANARDANAN NAIR: May I know where?

MR. K. SANKARAN: He had been rendering useful assistance to the C. I. D. in Bombay and in Madras and for some time he was an Assistant to the Trade Agent in Bombay.

MR. P. KUNJUKRISHNAN: May I know the nature of the investigation that is taking place, as is stated in the answer?

MR. K. SANKARAN: That is, if there is any complaint made by the public regarding the conduct of the State Transport, the Commercial Assistant would enquire into it, take the necessary evidence and then make a report.

MR. P. KUNJUKRISHNAN: May I know what the Superintendent's work is?

MR. K. SANKARAN: Because of the enlargement of the Department, the Superintendent finds it difficult to enquire into all these details. The Assistant is to assist the Superintendent in matters relating to the conduct of the Department. The investigation referred to is the investigation of public complaints coming within his purview.

MR. K. P. KOCHUKORA THARAKAN: ഈ ആളിനെ മുമ്പ് പരിചയം ഉണ്ടായിരുന്നോ?

MR. K. SANKARAN Yes, the Superintendent knew him.

MR. K. P. KOCHUKORA THARAKAN. ഈ ആൾ തിരുവിതാംകൂർ സ്വദേശിയാണോ എന്നു പറയാമോ?

MR. K. SANKARAN: He is not a Travancorean. He is a British Indian subject.

PRESIDENT: The questions and the answers are so low that I cannot hear.

MR. K. SANKARAN: The Superintendent reported that this man will be very useful in matters relating to his Department. A certain amount of discretion is allowed to the Superintendent in such matters.

MR. K. P. KOCHUKORA THARAKAN: ഈ കമ്മേഴ്ഷ്യൽ അസിസ്റ്റന്റിനെ ബാംബെയിൽ നിന്നാണോ വരുത്തിയിട്ടുള്ളതു്?

MR. K. SANKARAN: He had some experience in Bombay.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the claims of any others were not overlooked in the appointment of this man?

MR. K. SANKARAN: No.

MR. G. VELU PILLAI (*Karnagapally* cum *Kartikapally*): May I know, whether applications were invited for his appointment?

MR. K. SANKARAN: The Superintendent thought that this man would be a fit man and so he made a recommendation for his appointment.

Bus Service in Kottar-Dharmapuram road.

123. ***MR. K. NARAYANA PERUMAL NADAR**; Will the Government be pleased to state:

(*a*) whether any motor proprietor or proprietors in Nagercoil applied to the Inspector-General of Police in 1115 for permission to ply his motor car as service bus in Kottar-Dharmapuram road in Agastisvaram Taluk;

(*b*) whether permission was granted; and

(*c*) if not, why not?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) No.

(*c*) The relative claims of the applicants are under enquiry.

MR. M. SIVATHANU PILLAI: With regard to the answer to part (c) may I know how long the enquiry was pending?

MR. M. K. NILAKANTA AIYAR: Since 14-10-1939.

Weight of Mr. Kunjan Nadar.

124. ***MR. K. NARAYANA PERUMAL NADAR**: Will the Government be pleased to state the bodily weight of Mr. Kunjan Nadar B. A. B. L. a political prisoner in the Central Jail, when admitted and at present?

MR. M. K. NILAKANTA AIYAR: 117 lbs. and 115 lbs.

MR. K. NARAYANA PERUMAL NADAR: May I know whether Government have enquired into the loss of weight of the prisoner?

MR. M. K. NILAKANTA AIYAR: Government have made enquiries and they find that the prisoner is in perfect health.

Measures to control the price of rice.

125. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) the measures taken to control the price of rice, the staple food of the people, from going unnecessarily too high since the out-break of the war; and

(*b*) the results thereof?

MR. M. GOVINDA PILLAI (*Financial Secretary to Government and Controller of Food Supplies*) :

(*a*) The most important measures adopted are :—

1. Periodical fixation of maxima prices of the different varieties of imported rice at different centres in the State based on the ruling market rates, and asking for the co-operation of the public to bring to the notice of Government any infringement of these rates by the merchants.

2. Direct import of rice by Government and effecting sales thereof through Government agencies.

(*b*) The Government with the aid of daily reports from Tahsildars of each taluk have continued to keep the most careful watch on the situation which till date seemed to be well under control.

MR. P. KUNJUKRISHNAN: May I know the idea of Government in getting down rice?

MR. M. GOVINDA PILLAI: Government apprehended a very grave situation due to war, and to combat that situation they got down the rice in the larger interests of the public.

MR. P. KUNJUKRISHNAN: May I know whether Government have been in a position to sell rice at a price lower than the market price?

MR. M. GOVINDA PILLAI: Government have been selling their rice consistent with market rates.

MR. P. KUNJUKRISHNAN: May I know the price existing at present and the price that existed during the last Great War?

MR. M. GOVINDA PILLAI: Sir, I am not in possession of the rates prevailing during the last War.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from Government the trade mark of the rice got down by Government.

MR. M. GOVINDA PILLAI: I am afraid I cannot furnish the information now.

MR. M. SIVATHANAU PILLAI: May I know from the member whether the getting down of rice by Government has not tended to control the raising of prices by the private importers?

MR. M. GOVINDA PILLAI: Certainly, that has been the effect.

Statement, by caste, of appointments made by the High Court.

126. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to lay on the table a statement, by caste, of appointments carrying a salary of Rs. 150 and above made by the High Court during the year 1113 to 1114?

MR. PUTHUPALLY S. KRISHNA PILLAI (*Legal Remembrancer to Government*): The statement* is laid on the table.

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* *Vide* Appendix No. VI—page 279.

Statement, by caste, of the Officers in the Huzur Cutcherry.

127. *MR. THARIATHU KUNJITHOMMEN (*Murattupuzha* cum *Devicolam*) : Will the Government be pleased to lay on the table a statement, by caste, of the officers in the Huzur Cutcherry receiving a pay of above Rs. 100?

MR. M. K. NILAKANTA AIYAR : The required statement † is laid on the table.

MR. THARIATHU KUNJITHOMMEN : ഹജൂരിൽ ൧൦൦ രൂപായ്ക്കുമേൽ ശമ്പളമുള്ള ൨൭ ഉദ്യോഗങ്ങൾ ഉണ്ടെന്ന് ഇവിടെ പറഞ്ഞുകാണുന്നു. എന്നാൽ ജനസംഖ്യയിൽ മൂന്നാമതും വിദ്യാഭ്യാസത്തിൽ രണ്ടാമതും നില്ക്കുന്ന എട്ടരലക്ഷമുള്ള സിറിയൻകത്തോലിക്കരിൽ നിന്നും ഒരാളെയും അവിടെ നിയമിക്കാതിരുന്നിട്ടുള്ളതു് ആ സമുദായത്തിൽ കാര്യക്ഷമതയോടുകൂടി ജോലിചെയ്യുന്നതിന് ആരും ഇല്ലാത്തതുകൊണ്ടാണോ?

MR. M. K. NILAKANTA AIYAR : നൂറു രൂപായ്ക്കുമേൽ ശമ്പളമുള്ളവരെപ്പറ്റിയാണ് ചോദ്യം ചോദിച്ചിരിക്കുന്നതു്. നൂറു രൂപയും അതിനു മേലും ശമ്പളമുള്ളവരെപ്പറ്റി ചോദിച്ചിരുന്നു എങ്കിൽ ഒരു ആൾ ഉണ്ടെന്നു അതിനു മറുപടി പറയുമായിരുന്നു.

MR. THARIATHU KUNJITHOMMEN : ൧൦൦ രൂപയ്ക്കുമേൽ ശമ്പളമുള്ള ൨൭ ഉദ്യോഗങ്ങളുള്ളതിൽ ഇവിടത്തെ ഗണനീയസമുദായമായ കത്തോലിക്കരിൽ നിന്നും ആരും തന്നെ ഇല്ലാതിരിക്കുന്നതു ആ സമുദായത്തിൽ കാര്യക്ഷമതയോടുകൂടി ഉദ്യോഗം വഹിക്കാൻ ആളില്ലാത്തതുകൊണ്ടാണോ?

MR. M. K. NILAKANTA AIYAR : നൂറു രൂപാ ശമ്പളത്തിൽ ഒരാൾ ഉണ്ടു്. അതിനു മേൽ ശമ്പളമുള്ള ഉദ്യോഗങ്ങൾ പ്രമോഷൻമൂലം ലഭിക്കുന്നവയാണ്.

MR. THARIATHU KUNJITHOMMEN : ഭരണകേന്ദ്രമായ ഹജൂരിൽ ഗണനീയസമുദായത്തിൽപെട്ട അംഗങ്ങൾ ഇല്ലാതിരിക്കുന്നതു് അവരുടെ കാര്യക്ഷമതക്ക് ബാധകമായി തീരുകയില്ലേ?

MR. M. K. NILAKANTA AIYAR : അതു ഒരു അഭിപ്രായംമാത്രമാണ്.

MR. THARIATHU KUNJITHOMMEN : മററു സ്ഥലങ്ങളിൽ ഇരിക്കുന്നവരെ ഡൈവർട്ട് ചെയ്തു ഹജൂരിൽ നിയമിച്ചുവരുന്നില്ലേ?

MR. M. K. NILAKANTA AIYAR: ആവശ്യമുള്ളപ്പോൾ അങ്ങിനെ ചെയ്യുന്നുണ്ട്.

† *Vide* Appendix VII, page 279

MR. THARIATHU KUNJITHOMMEN : ഗണനീയസമുദായത്തിൽപെട്ട ഒരാളെയെങ്കിലും അവിടെ നിയമിക്കുന്നതു് ഉചിതമായിരിക്കുമെന്നു വിചാരിക്കുന്നില്ലേ?

MR. M. K. NILAKAKTA AIYAR : അതും ഒരു അഭിപ്രായം മാത്രമാണു്.

MR. PADIYARA JOSEPH KUNJU (*Changanacherry* cum *Peermade*): തിരുവിതാംകൂറിലെ ന്യൂനപക്ഷസമുദായക്കാരായ ബ്രാഹ്മണരിൽ നിന്നു [illegible] പേരെ നിയമിച്ചിരിക്കുന്നതിനുള്ള പ്രത്യേക കാരണമെന്താണു?

MR. M. K. NILAKANTA AIYAR : പ്രത്യേക കാരണമൊന്നുമില്ല. ഇപ്പോൾ ജോലിയിലിരിക്കുന്നവർ നേരത്തെക്കൂട്ടി സർവ്വീസിൽ പ്രവേശിച്ചു. വേറെ കാരണം ഒന്നുമില്ലാ.

Statement, by caste, of the Second Judges.

128. ***MR. THARIATHU KUNJITHOMMEN** : W the Government be pleased to lay on the table a statement, by caste, of Second Judges now in service?

MR. PUTHUPALLY S. KRISHNA PILLAI: The statement * is laid on the table.

Statement, by caste, of the Conciliation Officers.

129. ***MR. THARIATHU KUNJITHOMMEN** : Will the Government be pleased to lay on the table a statement, by caste, of the Conciliation Officers now in service?

MR. M. RAMACHANDRA RAO: The † statement required is laid on the table.]

MR. THARIATHU KUNJITHOMMEN : ആ കൺസിലിയേഷൻ ആഫീസറന്മാരെ നിയമിച്ചിട്ടുണ്ടെന്നു കാണുന്നു. അതിൽ ഹിന്ദുസമുദായത്തിൽപെട്ടവരെ ബ്രാഹ്മണർ, ഈഴവർ എന്നെല്ലാം തിരിച്ചുപറഞ്ഞിട്ടുണ്ടു്. ക്രിസ്ത്യാനികൾ എന്നുള്ള വിഭാഗം വന്നപ്പോൾ സിറിയൻക്രിസ്ത്യൻ എന്നുമാത്രമേ പറഞ്ഞിട്ടുള്ളു. ഇങ്ങനെ ഗവണ്മെന്റു വ്യവസ്ഥക്കു് വിരുദ്ധമായി സിറിയൻക്രിസ്ത്യൻ എന്നു മാത്രം പറയുന്നതിനുള്ള പ്രത്യേക കാരണം എന്താണു്?

MR. M. RAMACHANDRA RAO: അതിനു് പ്രത്യേക കാരണം ഒന്നുമില്ല.

MR. THARIATHU KUNJITHOMMEN : സിറിയൻകാത്തലിക്സ്, ലാററിൻ കാത്തലിക്സ്, മാർത്തോമ്മാ എന്നിങ്ങനെ വിവരിച്ചു ഉദ്യോഗനിയമനപ്പട്ടികകൊടുക്കണമെന്നു വ്യവസ്ഥചെയ്തിരിക്കെ സിറിയൻ ക്രിസ്ത്യൻ എന്നു മാത്രം പറയുന്നതു് ഒരു തരത്തിൽ അവരുടെപേരിൽ തെററിദ്ധാരണയുണ്ടാക്കുന്നതല്ലേ?

* *Vide* Appendix VIII, page 280.

† *Vide* Appendix IX, page 280.

MR. M. RAMACHANDRA RAO: മനഃപൂർവ്വം ചെയ്തിട്ടുള്ളതല്ല.

MR. THARIATHU KUNJITHOMMEN : ഇതിനു മുമ്പ് ഇതുപോലുള്ള പട്ടികകൾ ആവശ്യപ്പെട്ടപ്പോഴും ജാതിതിരിച്ചുള്ള പട്ടിക കൊടുക്കണമെന്നു പറഞ്ഞിട്ടുണ്ട്. എന്നിട്ടും ഈ വിധത്തിൽ ചെയ്തുകൊണ്ടിരിക്കുന്നതിനെപ്പററി പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതല്ലേ?

MR. M. RAMACHANDRA RAO: മേലാൽ അതിനെപ്പററി ഗൌനിക്കുന്നതാണ്.

MR. PUTHUPALLY S. KRISHNA PILLAI: I wish to draw attention to the answer supplied to the previous question, question No. 128, where the same gentleman is referred to and described as "Other Christian". He is not a Jacobite, or a Marthomite, or a Syriac Catholic or a latin Catholic or South India United Church Christian, but he is described as "Other Christian". Here he is compendiously described as Syrian Christian'.

MR. PADIYARA JOSEPH KUNJU: മി. ജെ. ഈപ്പൻ സിറിയൻ ക്രിസ്ത്യൻസിൽ ഏതു വിഭാഗത്തിൽപ്പെട്ടയാളാണ്?

MR. M. RAMACHANDRA RAO: I claim notice.

Appointment of Dr. Parameswaran.

130. ***MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to state :

(*a*) the date of appointment of Dr. Parameswaran in Travancore service and the office to which he was originally appointed ;

(*b*) the office Dr. H. Parameswaran held prior to his appointment in Travancore ;

(*c*) the date on which Dr. Parameswaran ceased to have any connection with the University of Travancore ; and

(*d*) the salary of Dr. Parameswaran while he was in British service, his present salary and the appointments he now holds ?

MR. M. K. NILAKANTA AIYAR: (*a*) 4th December 1937—Director of Technology.

(*b*) Professor of Physics, Presidency College, Madras.

(*c*) 3rd December 1939 (A. N.)

(*d*) Salary in British Service—Bh. Rs. 950 when his services were lent to the State and Bh. Rs. 1050 at present.

Present salary here S. Rs. 1068-21-0 (Bh. Rs. 1050).

Appointments that he now holds—

(1) Controller of Stationery and Printing.

(2) Secretary to the Stores Purchase Committee.

(3) Secretary to the Public Service Commissioner.

MR. S. NARAYANA PILLAI: With regard to answer to part (a) may I know how the appointment was made?

MR. M. K. NILAKANTA AIYAR: He was taken to the University.

MR. S. NARAYANA PILLAI: May I know the qualification of the present incumbent?

MR. M. K. NILAKANTA AIYAR: He is M. A., Ph. D., D. Sc., F. Inst. P.

MR. G. VELU PILLAI: May I know whether he is in the permanent service of the State?

MR. M. K. NILAKANTA AIYAR: He is only acting.

MR. G. VELU PILLAI: May I know when his term of service terminates?

MR. M. K. NILAKANTA AIYAR: The two years' term for which he was first appointed expired on 4-12-1939 and that term has been extended by one year.

MR. S. NARAYANA PILLAI: May I know his qualifications for the present post in the office of the Public Service Commissioner?

MR. M. K. NILAKANTA AIYAR: I would refer the honourable member to the answer published at page 590 of volume 14 No. 8 of the Assembly Proceedings.

Encumbrance Certificates.

131. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state whether the Sub-Registrars are responsible for the encumbrance certificates issued from their offices.

MR. K. SANKARAN: Yes, so far as the authenticity of the encumbrances specified in the encumbrance certificates are concerned.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the Sub-Registrars are not responsible for the entries made in the certificates?

MR. K. SANKARAN: They are responsible for the information furnished in the certificate.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether they are not responsible for any omissions that are made?

MR. K. SANKARAN: They will certainly be responsible for avoidable omissions, if any, made by them.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether Government are aware that there is a statement at the foot of the certificate itself that the Sub-Registrars are not responsible for any omission in the certificates?

MR. K. SANKARAN: I claim notice.

Samadhi day of His Holiness Sri Narayana Guru.

132. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state whether the fifth of Kanni, Samadhi Day of His Holiness Sri Narayana Guru, has been made a public holiday for the Ezhavas?

MR. M. K. NILAKANTA AIYAR: The 5th Kanni has been declared as a holiday for the Ezhavas.

MR. K. R. NARAYANAN: കന്നി ൫-ാംനു- സ്കൂളിൽ ഹാജരായില്ല എന്നു പറഞ്ഞു് അയാളുടെ പേരിൽ നടപടി നടത്തിയിട്ടുള്ളതായി അറിയാമോ?

MR M. K. NILAKANTA AIYAR. അറിഞ്ഞുകൂടാ.

MR. K. R. NARAYANAN: അതിനെപ്പററി വല്ല പരാതിയും കിട്ടിയിട്ടുണ്ടോ?

MR. M. K. NILAKANTA AIYAR: പരാതി ഒന്നും കിട്ടിയിട്ടില്ല.

Appendix I.

Vide Answer to Question No. 94.

Statement, by caste, of the employees (showing separately men and women) in the Anchal Superintendent's office during Karkadagom 1114.

		Men.	Women.
A.	*Hindu.*		
	Brahmin	15	...
	Nair	13	4
	Kammala	...	...
	Nadar	...	...
	Ezhava	1	2
	Cheramar (Pulaya)	...	...
	Other Hindus	7	...
B.	*Muslim*	1	...
C.	*Christian.*		
	Jacobite	2	1
	Marthomite	1	...
	Syrian Catholic	...	...
	Latin Catholic	2	...
	South India United Church	1	...
	Other Christians	...	...
		43	7

Appendix II.

Vide Answer to Question No. 95.

List of communities on whose uplift the amount of Rs. 34,406 was spent in 1114 *vide* part (*b*) of the answer to Interpellation No. 95.

Aynavars,
Arayans,
Barbers,
Kakkalans,
Kuravas,
Kanians,
Maravans,
Pallans,
Parayans including Sambavars
Pathians,
Pulayas including Cheramars,
Valans,
Vedans,
Chakkilians,
Velans,
Paravans including Bharathars,
Arassars,
Kanikkars living outside Forest Reserves and Kanipettu lands,
Vallons,
Ulladans,
Pandiyans,
Vathiriyars, and
Ottars.

Appendix III.

Vide Answer to Question No. 103.

Statment showing the extent of land assigned to the members of the backward communities on concessional terms in the taluks of Path napuram, and Kunnathur during 1111, 1112, 1113 and 1114.

	Kunnathur.		*Pathanapuram.*	
	A.	*C.*	*A.*	*C.*
1111	...	61	2	89
1112	8	91	12	6
1113	43	64	10	31
1114	12	64	23	96
Total.	65	80	49	22

Appendix IV.

Vide Answer to Question No. 113.

Statement showing the payments made in (a) each quarter in 1114 and (b) in Karkadagom alone in 1114 on account of works in the Nagercoil P. W. Division.

Payments made on account of works in Nagercoil P. W. Division.

In 1st quarter 1114 Rs.	In 2nd quarter Rs.	In 3rd quarter Rs.	In 4th quarter Rs.	In Karkadagom 1114 alone Rs.
38,984	81,120	82,876	1,77,105	1,15,587

Appendix V.

Vide Answer to part C of Question No. 121.

COMMUNIQUE.

In view of the outbreak of war between England and Germany, a state of emergency has arisen in respect of which adequate measures have become essential for the purpose of safeguarding the public peace and avoiding any acts or incidents likely to create public excitement or large concourses of people. As it has been notified in the newspapers that in connection with the political conference at Karunagapally, preparations are being made for processions and demonstrations and as it is further estimated that large crowds may gather at the conference, Government, in the public interests, call upon the organisers of the conference and all political and other organisations in the State to postpone if not to stop such assemblages at the present juncture and until further notice.

Huzur Cutcherry,
Trivandrum, 4th September 1939.

(Sd.) N. P. HARIHARAN,
Director of Information.

Appendix VI.

Vide **Answer to Question No. 126**

Statement, by caste, of appointments carrying a salary of Rs. 150 and above made by the High Court during the year 1113 to 1114.

A.	*Hindu*		
	1.	Brahmins	4
	2.	Nair	1
	3.	Kammalas	...
	4.	Nadars	...
	5.	Ezhava	1
	6.	Cheramar	...
	7.	Other Hindus	...
B.	*Muslim*		...
C.	*Christian*		
	1.	Jacobite	...
	2	Marthomite	1
	3	Syriac Catholic	...
	4	Latin Catholic	2
	5.	South India United Church	...
	6	Other Christians	...

Appendix VII.

Vide **Answer to Question No. 127**

Statement, by caste, of the Officers in the Huzur Cutcherry drawing a pay of above Rs. 100.

Hindu.		
	Braamin	11
	Nair	10
	Ezhava	1
	Other Hindu	3
Muslim.		1
Christian.		
	S. I. U. C.	2

Appendix VIII.

Vide Answer to Question No. 128

Statement, by caste, of the Second Judges.

A. Hindu.		
1. Brahmin	3	1 Temporary. 2 Acting.
2. Nair	2	1 Temporary. 1 Acting.
3. Kammala	...	
4. Nadar	...	
5. Ezhava	1	Temporary. On other duty as Ag. Secretary to Government.
6. Cheramar	...	
7. Other Hindu	3	1 on other duty as Ag. District Judge. 2 Temporary.
B. Muslim.	1	
C. Christian.		
1. Jacobite	2	(Acting.)
2. Marthomite	...	
3. Syriac Catholic	1	(On other duty as Ag. District Judge.)
4. Latin Catholic	...	
5. South India United Church	...	
6. Other Christian	1	(On other duty as Ag. District Judge and now Chief Conciliation Officer.)

Appendix IX.

Vide Answer to Question No. 129

Statement, by caste, of the Conciliation Officers.

Name of Officer.	*Designation.*		*Caste.*
Messrs.			
J. Eapen	Chief Conciliation Officer.		Syrian Christian.
N. Padmanabha Pillai	Conciliation Officer,	Nagercoil	Nair.
A. S. Damodaran Asan	Do.	Quilon	Do.
N. Krishna Aiyar	Do.	Trivandrum	Brahmin.
A. R. Padmanabha Rao	Do.	Tiruvalla	Do.
K. N. Kesavan Namburipad	Do.	Mavelikara	Do.
P. N. Madhavan	Do.	Alwaye	Ezhava.
N. Abdul Rahiman Sahib	Do.	Alleppey	Mohammedan

PUBLICATIONS IN THE BHARATHI.

Mr. KAINIKKARA M. PNDMANABHA PILLAI (*Chenganachery* cum *Peermade*): Sir, I want to bring to the attention of the Chair two publications in a newspaper and I wish to do so before the Assembly passes on to the next item in the agenda for the day.

PRESIDENT: Is it about the privilege of the House that the honourable member is referring?

Mr. KAINIKKARA M. PADMANABHA PILLAI: Yes, Sir. I refer to the newspaper "The Bharathi" dated 25th January, to the editorial under the heading "Disabilities of the minority communities in the Assembly and an article under the heading "Memorial presented to the Dewan." Both these articles are written in a manner which is highly prejudicial to the status and position of the Assembly as a whole, of the several members of the Assembly and of the discussions that are going on in the Assembly. The editorial refers to the attempt made by Mr. Jebamony Nadar to move an adjournment motion in this Assembly and how the motion could not be moved because the Assembly did not give him permission. I may be permitted to read one sentence.

"ദിവാൻപ്രസിഡണ്ട് പ്രമേയം സഭയിൽ വായിച്ചിട്ട് അനുവദിക്കുന്നതിൽ വിരോധമില്ലെന്നും എന്നാൽ സഭയുടെ സമ്മതമനുസരിച്ചു ചെയ്യാമെന്നും പ്രസ്താവിച്ചു. ഉത്തരക്ഷണത്തിൽ പ്രബലപക്ഷത്തിനുവേണ്ടി നിലകൊള്ളുന്ന ദേഹവും നാഷണൽ കാൺഗ്രസ്പാർട്ടി ലീഡറുമായ മി. കൈനിക്കരപത്മനാഭപിള്ള അതിനെ എതിർത്തു. നാഷണൽപാർട്ടിയിൽ നിർഭാഗ്യവശാൽ അനുബന്ധിക്കാൻ നിർബന്ധിതരായിത്തീർന്നിരിക്കുന്ന അവശസമുദായ പ്രതിനിധികൾക്കും സ്വന്തം താൽപര്യത്തെ തകർക്കുന്നതിനു മൗനാനുവാദം നൽകേണ്ടിവന്നു."

PRESIDENT: Read the last portion again.

Mr. KAINIKKARA M. PADMANABHA PILLAI: നാഷണൽപാർട്ടിയിൽ നിർഭാഗ്യവശാൽ അനുബന്ധിക്കാൻ നിർബന്ധിതരായിത്തീർന്നിരിക്കുന്ന അവശസമുദായ പ്രതിനിധികൾക്കും സ്വന്തം താല്പര്യത്തെ തകർക്കുന്നതിനു മൗനാനുവാദം നൽകേണ്ടിവന്നു.

Proceeding we come to another sentence which I may be permitted to read before the House.

"ഈ നിലയിലുള്ള ഒരു നിയമസമിതി ഈ രൂപത്തിൽ തുടരുന്നതു് അവശലക്ഷങ്ങളുടെ അവകാശത്തിന്റെ ശവക്കുഴി മാന്തുന്നതിനല്ലയോ എന്നു ഞങ്ങൾ ഭയപ്പെടുന്നു."

[Mr. Kainikkara M. Padmanabha Pillai.]

It means—If an Assembly constituted in the present form continues to operate in this form, we doubt whether it would not be digging the grave for the rights of the minority communities. These are two sentences that I have quoted from the editorial. In the article that I have mentioned above occurs this passage,

"സംസ്ഥാനത്തിന്റെ പൊതുതാല്പര്യത്തെ സാരമായി ബാധിക്കുന്ന ഒരു ഗൌരവ വിഷയത്തെ സംബന്ധിച്ച് രണ്ടു സമുദായങ്ങൾ രഹസ്യത്തിൽ ദിവാൻജിയുടെ ഔദ്യോഗിക വസതിയിൽവച്ചു കൂടിയാലോചന നടത്തുകയും അതേസമയത്ത് മററുസമുദായങ്ങളെ അവഗണിക്കുകയും പ്രസ്തുത ആലോചനയുടെ ഫലം അസംബ്ളിയുടെ ആലോചനാഘട്ടംവരെ രഹസ്യത്തിൽ സൂക്ഷിക്കുകയും അപ്രതീക്ഷിതമായി പ്രസ്തുത ആലോചനയുടെ റിപ്പോർട്ട് ഗവണ്മെൻറു പ്രസ്സിൽനിന്നും അച്ചടിച്ച് അസംബ്ളി മെമ്പറന്മാക്ക് വിതരണം ചെയ്യുകയും പൊടുന്നനവേ, നിയമസമിതിയിലെ ഒരു പാർട്ടി മെമ്മോറിയൽ സമർപ്പിച്ച് അതു പാസ്സാക്കി എടുക്കുന്നതിനു ബദ്ധപ്പെടുകയും ചെയ്യുന്നതു് ഏററവും അത്ഭുതാവഹമായ ഒരു കാര്യമായിട്ടാണ് പൊതുജനങ്ങൾ വീക്ഷിക്കുന്നതു്."

I do not want to multiply examples. These passages would clearly show how disrespectfully the newspaper has behaved towards the Assembly, the members of the Assembly, the parties in the Assembly, the President of the Assembly and the Assembly as a whole. I wish to bring this to the notice of the Chair and request the Chair to take adequate steps to prevent the recurrence of such incidents.

MR. M. SIVATHANU PILLAI: How does an article in a newspaper which refers to a conference between two communities held in Bhaktivilas concern the members of the Assembly?

MR. KAINIKKARA M. PADMANABHA PILLAI: If the member had the patience to hear me when I read out the passage the doubt would not have occurred. The last portion is this:

"പ്രസ്തുത ആലോചനയുടെ റിപ്പോർട്ട് ഗവണ്മെൻറുപ്രസ്സിൽനിന്നും അച്ചടിച്ച് അസംബ്ളിമെമ്പറന്മാക്ക് വിതരണം ചെയ്യുകയും പൊടുന്നനവേ, നിയമസമിതിയിലെ ഒരു പാർട്ടി മെമ്മോറിയൽ സമർപ്പിച്ചു അതു പാസാക്കി എടുക്കുന്നതിനു ബദ്ധപ്പെടുകയും ചെയ്യുന്നതു ഏററവും അത്ഭുതാവഹമായ ഒരു കാര്യമായിട്ടാണ് പൊതുജനങ്ങൾ വീക്ഷിക്കുന്നതു്."

The last portion refers to the Assembly and to the Assembly alone.

MR. M. SIVATHANU PILLAI: Is a reference to a party in the Assembly a reference to the Assembly as a whole?

MR. C. JEBAMONY NADAR: Is it anything more than what actually transpired?

MR. KAINIKKARA M. PADMANABHA PILLAI: I have left the matter in the hands of the President.

PRESIDENT: This is a question which effects the privileges of the House and I have no hesitation in saying that the article is a production designed to cast aspersions not only on certain parties and members in this House but on the Assembly as a whole and is of such a nature that all privileges shown to that paper and its editor will be withdrawan until an explanation is forthcoming. In coming to that decision I have been influenced by the following considerations:—

Firstly, the statements made by the newspaper are wrong in so far as that newspaper insinuates that there was something wrong in the conduct of the proceedings at Bhaktivilas, that there was something in the nature of a hole and corner arrangement or a clandestine procedure in the matter, the truth being what has been elucidated on the floor of this House. This problem has engaged the attention of the various communities and has aroused considerable feeling, feeling which was manifested even this morning in the course of the interpellations and persons connected with this House and the other honourable House must be familar every day of their legislative activity. For the purpose of putting an end to this intolerable state of affairs and to bring about some kind of union and joint action amongst the communities representatives of two communities came to the Head of the Administration and asked if they may conduct negotiations, not as an end in themselves but as a preliminary to negotiations with other parties and other communities so that all the communities may arrive at an adjustment and a settlement. On that basis certain negotiations were held and the meetings were not presided over by the Head of the Administration. But the Head of the Administration in his personal capacity promised to give every facility and every possible means of information in order to enable the communities to arrive at a *modus vivendi.* Whether those resolutions so passed and so put before the House are finally accepted by Government or not is a matter which is not germane to the present debate. Any resolution that is passed by this House, even although it might have the unanimous support of all the communities in the State, Government may be unable to accept as, nevertheless, there may be a residual responsibility on the part of the Government which might make it incumbent on Government not to accept it. On the other hand, Government may come to the conclusion that its duty will be well done if it accepts what may be called the greatest common measure of agreement among the communities in the State. It was with that

[President.]

object that the conference was held. But this newspaper entirely travesties the object of the conference notwithstanding that there was an explanation as to the object and the scope of the conference made from the Chair. That is why I asked whether that newspaper was published after such explanation. It appears to have been published this morning. After all what has been said about that conference in this House the newspaper has published this article and it has made other aspersions on the impartiality of the members and has made very serious aspersions specially on the representatives of the minority communities. The paper says that a state of dumbness, of mute acquiescence, has been imposed upon the representatives of the backward communities and the minority communities because of their peculiar position in the House. The Chair has always made it clear that there is no difference in the matter of legislative power and competence between the nominated and the elected members, between members of the backward communities and members of other communities; and to suggest that members of backward communities and members of minority communities have been reduced to impotence or to muteness because of their position in the House is to impugn the authority and the dignity and impartiality of this House. I hold that this paper is guilty of the gravest possible contempt of this House and of the Chair and suitable steps will be taken in regard to this matter.

MR. T. P. VELAYUDHAN PILLAI: Sir, I wish to know from the Secretary whether any representative or the editor of that paper is still in the Assembly?

PRESIDENT: You are not entitled to ask that.

MR. T. P. VELAYUDHAN PILLAI: But I only make a request to the Chair.

PRESIDENT: Probably he is or is not here.

MR. T. P. VELAYUDHAN PILLAI; In view of the statement by the President, is not the editor to be deprived of his privileges?

PRESIDENT: That will be considered.

The House will now proceed to the next item in the agenda.

DISCUSSION OF THE REPORT ON THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES - *(contd.)*

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, yesterday when I was just referring to the criticism offered by Mr. Kochukora Tharakan I had to stop my speech. Mr. Tharakan's complaint is that I have robbed his community of one of the seats that was allotted to them under the old rotation. That requires a word of elucidation. In the rotation that exists at present there are 55 appointments. It would

be rather difficult to understand why when there are 51 lakhs of people this arbitrary number 55 was chosen. Among the under-represented communities the least represented communities are among the Hindus. Were these four seats set apart to help those communities? No. Taking religion by religion, the Muslims are the least represented— were these seats set apart for the purpose of helping the Muslims? No. The Hindus number 31 lakhs of people and they get 31 seats, the Muslims with 4 lakhs get 4 seats, the Christians with 16 lakhs get 20 seats. Now even among the Christians there are subsections.

MR. C. JEBAMONY NADAR: May I know why there should be subsections among the Hindus?

MR. KAINIKKARA M. PADMANABHA PILLAI: I am not responsible for the sub-divisions of the Hindus, and therefore I cannot answer that question.

Even when setting apart 4 extra seats for the Christians, how were these utilised? It is a well-known fact in this country that the two communities that are definitely under-represented in public service among Christians, are the Syrian Catholics and the Latin Catholics. The Syrian Catholics should get one-third of the seats allotted for the Christians. In the old rotation they were given one-fourth. The Latin Catholics must get one-fourth of the seats for the Christians. In the old rotation they were given one-fifth. Thus those communities that we all understand are clearly under-represented were given not even the seats that were due to them. And then, to whom were they given? They went, one to the community of Mr. Tharakan, one to the community that Mr. Tharakan wants to bracket with his community, one to the community of Mr. Jebamony Nadar and one to an unknown community. Thus the four seats were distributed.

MR. K. P. KOCHUKORA THARAKAN: നായന്മാർ ൮,൬൮,൦൦൦ ഉണ്ട്. അവക്ക് ൻ സീററു ഉണ്ടെന്നുള്ള കഥ മെംബർ ഓർക്കുന്നുണ്ടോ?

MR. KAINIKKARA M. PADMANABHA PILLAI: I am now at the Jacobite and Syrian Catholic apportionment of the seats. I will finish this aspect of the matter first and then come to the point raised regarding Nair *Samudayam*.

MR. K. P. KOCHUKORA THARAKAN: ജേക്കബൈററു ൩,൩൬,൦൦൦ ഉണ്ട്.

MR. KAINIKKARA M. PADMANABHA PILLAI: ഡെസിമൽ അപ്രാക്സിമേഷൻേറയും സിഗ്നിഫിക്കൻറ് ഫിഗഴ്സിൻേറയും തത്വം മനസ്സിലാക്കിയാൽ ഇതെളുപ്പം മനസ്സിലാകും.

MR. C. JEBAMONY NADAR : Has the honourable member any objection in alloting due representation to each community not at the rate of one seat per lakh but one seat per 50,000?

MR. KAINIKKARA M. PADMANABHA PILLAI : I will come to that point. Before I close I have also something to say about the points raised by Mr. Jebamony Nadar.

Now, for Mr. Tharakan's objection. Thus the number 55 was arbitrarily fixed and 4 additional seats were given to the Christians and those four seats were distributed among the over represented communities among the Christians. Now what happened is, in the present rotation as suggested by me, I have set apart 16 seats for the Christians and they have been distributed among the sub-sections according to the strength of the communities. If Mr. Tharakan can reasonably complain that of the 16 seats Mr. Tharakan has not got his due share then it is his duty to point out to which community the seat has gone. Yesterday Mr. Tharakan made a passing remark that the seat has gone to the Catholic community. Now the population as it stands is this. The Jacobite community numbers 3·37 lakhs, the Syrian Catholics 4·49 lakhs, and the Latin Catholics 3·6 lakhs. The only doubt that will arise is between the Syrian Catholics and the Jacobites, because by the principle of approximation, these two communities just stand below point 5. After the distribution of 15 seats there will remain 1 seat to be given either to the Jacobites or to the Catholics. By the very fact that Catholics are under-represented, that should go to them. Even according to mathematical calculation, that should go to them.

MR. K. P KOCHUKORA THARAKAN : സർ... ...

MR. KAINIKKARA M. PADMANABHA PILLAI : I cannot yield, Sir. I have yielded too much. Even the very resolution sponsored by me is the result of that yielding. Why should I yield still further?

PRESIDENT : That does not arise.

MR. KAINIKKARA M. PADMANABHA PILLAI: The strength of the Jacobite community is 3·37 lakhs and the Syrian Catholics 4·49 lakhs. Certainly it is obvious mathematically also that the remaining one seat must go to the Syrian Catholics, If Mr. Tharakan is not even now satisfied with that I shall willingly allow a free duel to be fought between Mr. Joseph Kunju and Mr. Tharakan and to decide the matter between themselves.

As far as I am concerned I have set apart 16 seats for the Christians according to the resolution moved by me and they are to be distributed according to the populations of the sub-sections as seen in the Census Report. If there is any mistake in my calculation it is for the honourable members to bring it to the notice of the house and decide.

Lastly, and that is, the most wonderful point, the Jacobites have not lost any seat. For, if the numerator has changed the denominator also changed. The Jacobites used to get 4 seats out of 20. That works

out to one-fifth. Now according to my resolution the Jacobites would get 3 out of 16. That again comes to one-fifth. Therefore what they got they will continue to get.

Mr. Tharakan, I do not think, will be satisfied by these facts. His real complaint is that I have set apart 31 seats for the Hindus that I have made a primary distribution among the three religious groups. Mr. Tharakan said that among the Hindus there are so many sub-sections that may not be capable of supplying qualified candidates and that therefore those seats will go to the Nairs. That is a form of putting things which Mr Tharakan and his community have always indulged in for a very long time.

MR. JOHN JOSEPH (*Nominated*) : പതിനാറു ലക്ഷത്തോളം വരുന്ന കൃസ്ത്യാനികൾക്കു പതിനാറു് സീററു് നിശ്ചയിച്ചിട്ടുണ്ടു്. ഇതിൽ മൂന്നു ലക്ഷത്തോളം വരുന്ന അവശ കൃസ്ത്യാനികൾക്കു കിട്ടത്തക്കവണ്ണം വല്ല വ്യവസ്ഥയും ചെയ്തിട്ടുണ്ടോ ?

MR. KAINIKKARA M. PADMANABHA PILLAI : ഇപ്പോൾ വ്യവസ്ഥ ചെയ്തിട്ടില്ല, ചെയ്യുന്നതിൽ എനിക്കു വിരോധമില്ല.

MR. KAINIKKARA M. PADMANABHA PILLAI : Therefore what really pains Mr. Tharakan is that several backward communities among the Hindus may not be able to supply candidates and that therefore those seats may go to the Nairs. As I said that is a form of expression which Mr, Tharakan's community has always used and would like to continue. It is their habit to give a twist to their expressions so that they may strike at the Nair. But I do not mean to flinch at the thrust. Eeven if that goes to my community or even my family, I ask the question, what business is it of Mr. Tharakan ? When Mr. Tharakan has got 16 seats for his religious denomination, what business has he to turn round and ask how many will go to the Nair. It is not his look out and I am not prepared to yield on this point.

But in fact this is merely a wrong way of putting things Among the Hindus, the backward communities that may not be capable of supplying candidates even for the highest post will come to between 4 to 6 lakhs and if those communities are not capable of supplying candidates, their share will be divided between the remaining 27 or 25 lakhs and among them of course the 9 lakhs of Nairs. Therefore if Mr. Tharakan has no objection in putting the fact as it is, then he must say that there are about 5 lakhs of people among the Hindus who may not be capable of supplying candidates for higher appointment in the intermediate division and that those appointments may be distributed among the remaining 26 lakhs and among them the Nairs also. That is the fact.

Why have I made this major and minor circuits? One reason is that as Mr. Tharakan himself has said, I am very particular that every seat that must go to the Hindu must go to the Hindu. I am extremely

[Mr. Kainikkara M. Padmanabha Pillai.]

particular and definite on that point. I do not want to hide that fact. Of course a question was asked why there are sub-sections among the Hindus. The very fact that there are sub-sections is my reason for fixing the seats of the Hindus. There are sections and sub-sections but running through all those sub- sections per-vading through all the differences there is a community and identity. It is to protect and promote that unity and identity that I have made this major division. That Hindu community must stand together and must get its full share, not one seat less.

There is a negative purpose also. If you will only recall the agitation for communal representation, you will see that the agitation was started by the Christians. It was an agitation against the Hindus to get appointments for the Christians. Whenever they spoke of Hindus, they never attacked the Hindus as a whole. They always spoke about the Brahmin and the Nair. That was carried on for a very long time. The Brahmin and the Nair lost seats and the Christians got them. But where did the seats go ? It is like the old story of the river Ganga being drank dry on the way. The seats that were taken from the Brahmins and Nairs did not reach all the Christians but was slyly swallowed by Mr. Tharakan's community. Subsequently after a few years, one sub-section among the Christians namely the Roman Catholics found out that they had not secured their due share. A new cry was raised and again the attack was not against the Marthomites or Jacobites but against the Nairs and Brahmins. The Government again yielded in their favour. When the Syrian Catholics had gradually secured their share, the Latin Catholics made a hubbub and said they had not been given their due share. Whom did they attack ? Ofcourse the Nairs and Brahmins. So then whenever a deficiency was found anywhere the Nairs and Bramins had to make up the deficiency. That has been the process so far.

MR. PADIYARA JOSEPH KUNJU (*Changanacherry* cum *Peermade*): കത്തോലിക്കർ അങ്ങനെ പറഞ്ഞിട്ടില്ലെന്ന് മെംബറിനു അറിയാമോ?

MR KAINIKKARA M. PADMANABHA PILLAI : അറിഞ്ഞുകൂടാ.

Therefore, Sir, whenever there has been a deficiency, the attack was always against the Nairs and Brahmins. That trick cannot be continued any further. If the Christians have not got their due share—

MR. M. SIVATHANU PILLAI: Was not the same trick played by the Nairs against Brahmins when there was the Malayali Memorial ?

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes Sir, in conjunction with the Vellala. Therefore, to put an end to this kind of unending complaint, to put an end to this repeated attack against Nairs and Brahmins, I want the seats to be divided between the Hindus, Christians and Muslims. If the Christians want to divide and sub-divide the seats among the various sub-sections that should be confined to the 16 appointments allotted to them. I cannot allow them to take away any

share from ours. I do not want them to attack us. There must be an end on this eternal trouble and complaints Thus there is a positive purpose as well as a negative purpose. I am not prepared to yield an inch to Mr. Tharakan's suggestion.

There is one thing which I must admit. Till now Brahmins and Nairs stood apart and rejected the proposal root and branch. We did not care to go into the question at all. Neither were we concerned with the calculations and statistics regarding it. The agitation was led by Jacobites and Marthomites. They were free to make calculation in the company of communities politically less advanced. Now a difference has happened. The Brahmin and the Nair have all taken their seats around the table and Mr. Tharakan may be assured that in political mathematics we are not at all behind them. In our calculations Mr. Tharakan and people of his way of thinking may find a revelation. Even when I was working at this, I was confident, that objection will be heard from Mr. Kochuthommen and Mr. Tharakan. But I did not expect that I will have the pleasure of hearing, Mr. Kochuthommen so soon saying that the population basis should not be the criterion but literacy standard should prevail. That is a point we raised years ago and for that at that time we were shouted down. Now when we come forward accepting the population basis, the Jacobites turn round telling "let us go to the literacy basis". They call for the statistics of the graduates available in the community. That is an old old theory which was rejected with contempt. It is all past. Therefore, Mr. Tharakan has to reckon not merely with the Roman Catholics and Ezhavas but also the Nairs and Brahmins in making calculation about the rotations and revolutions of seats. They have asked for their pound of flesh and if they have got it with out a drop of blood they cannot complain.

A word about Mr. Jebamony Nadar. Mr. Nadar was criticising my resolution literally and with the authority of Dictionary. He says that there is no S.I.U.C. community anywhere in my memorandum. One letter has been misprinted. But I may tell Mr. Nadar that in fact that was done not by the printer's devil but by the printer's God. In fact in this country there is no community like that.

MR. JEBAMONY NADAR: But such a classification has been made by Government.

MR. KAINIKKARA M PADMANABHA PILLAI: Mr. Nadar could have satisfied himself by ordinary commonsense. Yet the mistake is in fact not a mistake but truth. There is no community called S. I. U. C. They are neither united, nor do they belong to one church. It is a collection of churches. The term S. I. U. C is merely a fiction, a camouflage coined just to procure a few seats in Public Service.

MR. C. JEBAMONY NADAR: May I know from the member whether the resolution also was the action of God?

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes sir, it comes from God, it will have the blessing of God. Therefore, I ignore the orthographical criticisms levelled by Mr Jebamony Nadar. The one thing that I noticed throughout the speech of Mr. Nadar is the malicious intention to embitter the feelings of—

PRESIDENT: The member will please withdraw the word 'malicious'

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes Sir, I withdraw 'malicious', I noticed throughout his speech a mischievous intention to embitter the feelings of Ezhavas against Nairs,

MR. M. SIVATHANU PILLAI: Is the member entitled to attribute intentions to other members' speeches?

PRESIDENT: In debates it is possible to attribute motives and as long as no personal turpitude is referred to there is no objection. I hope Mr. Padmanabha Pillai would bear in mind that personal or communal acerbities should not be exaggerated now. I would advise the honourable members for the sake of suavity of debate that as far as possible these references are avoided.

MR. KAINIKKARA M. PADMANABHA PILLAI: I withdraw all those expressions. What I want to point out is that throughout the speech I found Mr. Nadar very carefully and minutely going into that "green book" which seems to be a red rag to him and picking out words phrases, sentences and passages and putting them in a way calculated to embitter the feelings of Ezhavas against Nairs. But Mr. Nadar ought to known that those portions did not come in the 'green book' without the knowledge of the Ezhavas He should also know that the Ezhavas do not require his interpretation. I would advise all my friends including Mr. Nadar not to try this trick hereafter. That is bad. When two major communities and those the most important communities among the Hindus are making honest attempts to come together to wipe out differences and mutual suspicions please do not try to stand in their way. Please do not mar that harmony. Please do not destroy that beautiful harmony that is moving from end to end in this country. I warn them. I warn them from interfering in this matter I warn them from trying to strike the note of discord when the most important community is trying to re-build themselves into a united and harmonious organisation.

Sir, we the Nayar and the Brahmin communities have been the target of attack for the last 25 years. We have been called the monopolists. Perhaps there is no bad word that has not been used against. At length for the sake of contentment in the country, for the harmonious existence of the different communities in this country, we have decided to yield. It is a sacrifice and it is a sacrifies which few other communities would have made. But when we give we give fully, nobly, gracefully, That is our history, that is our tradition, that is our religion. When we feed a man we not only give him food, but also *dakshina*. We give and thank the recipient. Now we give them and we request them to accept our offer and our thanks.

MR. M. SIVATHANU PILLAI: May I know from the member whether in drafting this resolution he had in his mind the number of appointments held by members of different communities?

MR. KAINIKKARA M. PADMANABHA PILLAI: I do not quite remember my psychology while drafting this resolution.

PRESIDENT: That is evident. If that was not borne in mind, perhaps, the Nayar, the Brahmin and the Marthomite should get no appointment for the next 10 or 15 years. Therefore anything involving a change means that it refers to the future and not to the past.

MR. K. P. KOCHUKORA THARAKAN: ക്രിസ്ത്യാനികളെ എടുത്തു പറഞ്ഞപ്പോൾ ജേക്കബൈററിനാണ് കൂടുതൽ ഉദ്യോഗങ്ങൾ കിട്ടിയതെന്നു പറഞ്ഞു. പബ്ളിക്ക് സർവ്വീസ്കമ്മിഷണരുടെ റിക്രൂട്ടുമെൻറു റിപ്പോർട്ടിൽ കാണുന്നതു ൨൦൦ രൂപയിൽ കുറഞ്ഞ ശമ്പളമുള്ളവരുടെ ആകെയുള്ള തുകയിൽ പ്രോട്ടസ്റ്റൻറിനു ൱൩, മാർത്തോമാക്കു ൱൨, കത്തോലിക്കർക്കു ൭൨ ഇത്രയെയുള്ളു. നായന്മാരിൽ നിന്നും പിരിഞ്ഞു പോകുന്ന ഉദ്യോഗങ്ങളെല്ലാം ഒഴികെച്ചേരുന്ന കൂട്ടമല്ലാ ജേക്കബൈററു് സമുദായമെന്നും ൧൦൱-ൽ അധികം ഉദ്യോഗങ്ങൾ പ്രമേയാവതാരകൻെറ സമുദായത്തിൻെറ കൈവശം ഉണ്ടെന്നു ഓർമ്മിക്കുന്നുണ്ടോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

PRESIDENT: Do you want to answer that question, Mr. Padmanabha Pillai?

MR. KAINIKKARA M. PADMANABHA PILLAI: No, Sir.

PRESIDENT: The procedure that has to be followed is as follows:—

There are one or two resolutions which go to the root of the matter. Mr. D. Francis has given notice of an amendment to the effect that no change is necessary to the existing rules, as the recruitment is made on population basis. And if anything is wanting, that must be rectified. Mr. Jebamony Nadar's amendment is as follows:—

"This Assembly recommends to Government that—

(1) communal representation be applied to all grades of public service.

(2) the advising authority and the appointing authority be one and the same person.

(3) all fresh recruitments from over-represented communities be stopped till the inadequately represented communities get their due share.

(4) if any Advisory Board is to be appointed minority communities be excluded from the scope of that board or that a board consisting of a majority of members from the backward communities be appointed.

[President,]

(5) That all permanent vacancies be reserved to unrepresented and inadequately represented communities for a definite period and to have a similar provision with regard to promotion also.

(6) That the word "qualification" be used instead "of efficiency test". This, I think, is a fundamental amendment.

Mr. T. P. Velayudhan Pilla's amendment is :—

"This Assembly recommends to Government that steps be taken forthwith to see that the advice given by the Public Service Commissioner are absorbed before fresh candidates are advised to be recruited."

These are the amendments in their logical order. Mr. Francis will move his amendment first.

MR. D. FRANCIS: Sir, திருவிதாங்கூர் பப்ளிக் ஸர்வீஸ் கம்மிஷன் சட்டத்தைப் பேதப்படுத்த வேண்டுமென்று நான் விரும்பவில்லை. சில காரணங்களால் பப்ளிக்ஸர்வீஸ் கம்மிஷனர் ஏதாவது ஜோலி செய்கிறாரோ அல்லது ஆப்பீஸிலுள்ளவர்களைக் கொண்டு ஏதாவது செய்யச்சொல்லிவிட்டு, சும்மாயிருந்து சம்பளம் வாங்குகிறாரோ என்கிற சம்சயம் ஜனங்களுக்கு ஏற்பட்டிருக்கிறது. அதற்குக் காரணம், முந்தி ஆப்ளிகேஷன் போட்டவர்களுக்கு வேலை பிந்தி கிடைக்கிறதென்றும், பிந்தி ஆப்ளிகேஷன் போட்டவர்களுக்கு முந்தி வேலை கிடைக்கிறதென்றும், கூடுதல் பரீட்சையுள்ளவர்களுக்கு குறைந்த சம்பளமும் குறைந்த பரீட்சையுள்ளவர்களுக்கு கூடுதல் சம்பளமும் கிடைக்கிறதென்றும், பப்ளிக் ஸர்வீஸ் சட்டத்திலுள்ள தெற்று அல்லது இந்த டிபார்ட்டுமெண்டு வேலைசெய்கிற ரீதியுள்ள தெற்று என்று ஜனங்கள் நினைக்கிறார்கள்.

ஆப்ளிகேஷன் கிடைத்த பின் இன்டர்வியூ (interview) கொடுக்கப்படுகிறது. பரீட்சைகள் போட்டு மார்க்கு குறிக்கப்படுகிறது. டாக்டர் ஸர்டிபிக்கட்டு, காண்டெக்ட் ஸர்டிபிக்கட்டு எல்லாம் எடுத்த பின், ஜோலிகொடுக்கப்படுகிறது. சிலருக்கு உத்தியோகத்துக்கு தகுந்தபடியுள்ள சில பரீட்சைகளில் கூடுதல் மார்க்குகள் கிடைத்திருப்பதால் சீக்கிரம் ஜோலி கிடைக்கிறது. சிலசமுதாயங்களில் அதிக உத்தியோகம் கிடைக்கவில்லையாம், பரீட்சையில் பாசாகாததினால் அப்படி கிடைக்காமலிருக்கலாம். அதனால் கம்மிஷனருடைய குற்றமல்ல. நாட்டுக்காரரில் ஒருவருக்கு இந்த உத்தியோகம் கொடுத்தாலும் அதற்கு 1000, 1500 ரூபாய் சம்பளம் வாங்குகிற உத்தியோகஸ்தர் தான் வேண்டும். இதுவும் திருப்தியில்லையானால் ஒரு அட்வைஸரி கம்மிட்டி வைத்துக்கொள்வதில் ஆட்சேபனையில்லை.

PRESIDENT: I think it will be conducive to convenience if I ascertain the general sense of the House on Mr. Francis's resolution. If that resolution is carried, that is, that the present rules are alright, then we need not go to the other resolutions. Mr. Francis has moved his resolution that no change is necessary as recruitment is made on population basis.

MR. C. V. CNANDRASEKHARAN: Sir, the resolution is not seconded.

MR. M. SIVATHANU PILLAI: Sir, I second the resolution. In doing so it must not be understood that I approve the principle of communal representation. But in as much as the method of communal representation has come to stay or it appears to be unavoidable, I make a choice. I am one with my Honourable friend Mr. Francis in holding that the present machinery is quite sufficient, and as I remarked in my preliminary remarks the present machinery is sound. There is absolutely no case made out for any defect in the working of the present machinery. But the main resolution under consideration seeks to modify the present arrangement. I differ from that. At the present moment this is the only possible solution that could be thought of by the Government and approved by any person who is interested in seeing that there is no more clamour between communities The present machinery has been tried only for the last three years and in my humble opinion that period is not at all sufficient to come to any conclusion that it needs any modification or not. On these grounds, I am one with Mr. Francis in thinking that the present machinery is quite sufficient to fulfil the object for which it is created. As such I second the motion.

MR. K. KUNJU PANICKER (*Mavelikara* cum *Kunnattur*): I oppose the resolution.

MR THARIATHU KUNJITHOMMEN (*Muvattupuzha* cum *Devicolam*): സർ, മി: ഫ്റാൻസിസ് ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ഉപക്ഷേപത്തെ ഞാൻ ബലമായി എതിൎക്കുന്നു. ഇപ്പോഴത്തെ പബ്ളിക്ക്സൎവീസ് റിക്രൂട്ടുമെൻറു വ്യവസ്ഥകളിൽ ഉള്ള ന്യൂനതകളെ സാരമായവിധത്തിൽ പരിഹരിക്കുന്നതിനായിട്ടാണു ഇപ്പോൾ ചില നിൎദ്ദേശങ്ങൾ അവതരിപ്പിക്കപ്പെട്ടിട്ടുള്ളതു്. ഇതിൽ ചില ഭേദഗതികൾ വേണമെന്നുള്ള കാൎയ്യം വഴിയെ പ്രസ്താവിക്കാം. ഇപ്പോഴത്തെവ്യവസ്ഥ ജനങ്ങളുടെ പ്രത്യക്ഷക്കും സമുദായനീതി നടത്തണമെന്നുള്ള ഗവൎമ്മെൻറിൻെറ മഹത്തായ ഉദ്ദേശത്തിനും പൎയ്യാപ്തമല്ലാ എന്നു വ്യക്തമാണു്. അതുകൊണ്ടു കഴിയുന്ന വേഗത്തിൽ ഇപ്പോഴത്തെ വ്യവസ്ഥകളേയും അതു നടപ്പിൽ വരുത്തിട്ടുള്ള ദോഷങ്ങളേയും ധ്വംസനംചെയ്തു നീതിപരമായ ഒരു വ്യവസ്ഥ നടപ്പിൽ വരുത്തണമെന്നു് പലതവണയും ഈ അസംബ്ളിയുടെ ശ്രദ്ധയിൽ ഞാൻ കൊണ്ടുവന്നിട്ടുണ്ടു്.

൨,൭൦൦ നിയമനങ്ങൾ നടന്നതായി റിപ്പോൎട്ടിൽ കാണുന്നുണ്ടു്. ചില സമുദായങ്ങൾക്കു അവരുടെ വിദ്യാഭ്യാസസ്ഥിതിയേയൊ രാജ്യത്തു അവൎക്കുള്ള മററു സ്ഥാനത്തേയോ ഗണിക്കാതെ കേവലം പബ്ളിക്ക്സൎവീസിൽനിന്നു് ബഹിഷ്കരിക്കപ്പെടുവിച്ചിരിക്കുന്നതിനു പരിഹാരമുണ്ടാക്കണമെന്നു് കൗൺസിലിലും അടിക്കടി പ്രസ്താവിച്ചതിൻെറ ഫലമായി പബ്ളിക്ക്സൎവീസ് കമ്മീഷണരെ നിയമിച്ചു. പഴയ ശ്രീമൂലം പ്രജാ

[Mr. Thariathu Kunjithommen]

സഭയിൽ ഈ വിഷയത്തെ സംബന്ധിച്ച് ൩൦൦-ൽ പരം നിവേദനങ്ങൾ സമർപ്പിച്ചിട്ടുണ്ട്. അതിൽ ഒരു വലിയ ഭാഗവും ഞാൻ കൊണ്ടുവന്നിട്ടുള്ളതാണ്. അസമത്വസമുദായത്തിലെ പ്രതിനിധികൾ വളരെ കുറവായിരുന്നതുകൊണ്ടാണ് ഞാൻ തന്നെ അധികവും കൊണ്ടുവരേണ്ടതായിട്ടു വന്നതു്. അതിനു ശേഷം പഴയ നിയമസഭയിൽ സമുദായ പ്രാതിനിധ്യത്തെ സംബന്ധിച്ച് ൪൦-ൽ പരം ഉപക്ഷേപങ്ങളും ഏഴു പ്രമേയങ്ങളും അവതരിപ്പിച്ചു. സിറിയൻ കത്തോലിക്സ് ഈഴവർ മുസ്‌ലീങ്ങൾ എന്നീ സമുദായങ്ങളിലെ പ്രതിനിധികളാണ് ഈ വാദം അധികവും കൊണ്ടുവന്നിട്ടുള്ളതു്. ഈ സമുദായങ്ങൾക്കു് പബ്ലിക് സർവീസിലെ പ്രാതിനിധ്യത്തെപ്പററി വലുതായ അസമത്വം ഉണ്ടായിരുന്നതുകൊണ്ടാണ് ഇങ്ങനെ അവരിൽനിന്നു മാത്രം വാദങ്ങൾ പുറപ്പെടുവാൻ കാരണമായതു്. ഈ വാദങ്ങളുടെ ഫലമായി ഒരു പബ്ളിക്ക് സർവീസ് കമ്മിററിയെ ഏർപ്പെടുത്തി. പബ്ളിക്ക് സർവീസ് റിക്രൂട്ടുമെൻറു കമ്മിററിയുടെ റിപ്പോർട്ടിൽ ഒരു സ്റ്റാഫ് സെലക്‌ഷൻ ബോർഡോ അല്ലെങ്കിൽ ഒരു കമ്മീഷണരെ നിയമിച്ച് ഒരു അഡൈ്വസറി ബോർഡോ രൂപീകരിക്കണമെന്നു ഭൂരിപക്ഷം മെംബറന്മാരും റെക്കമെൻറു ചെയ്തിരുന്നു. ഇതു രണ്ടും ഗവൺമെൻറു ഗണിക്കയുണ്ടായില്ല. ഏകാധിപത്യം നടമാടുന്ന ഒരു സ്ഥാപനമാണ് ഏർപ്പെടുത്തിയതു. അതിൻെറ ദോഷഫലമാണ് ഇപ്പോൾ കാണുന്നതു്. ൨൭൦൦ നിയമനങ്ങൾ നടത്തിട്ടുള്ളതിൽ അടിക്കടി സങ്കടം പറയുന്ന സങ്കടക്കാരായ സിറിയൻ കത്തോലിക്കർക്കു ൯൨ ഉദ്യോഗങ്ങളാണ് കിട്ടിയിട്ടുള്ളതു. പബ്ലിക്ക സർവീസ് റിക്രൂട്ടുമെൻറു റിപ്പോർട്ടിൽ ഉദ്യോഗങ്ങളുടെ എണ്ണത്തിൽ ൧൨-ാമത്തെ സ്ഥാനം നൽകിയിട്ടുള്ള ഈ സമുദായത്തിന് ഇപ്പോഴത്തെ നിയമനത്തിൽ ൧൪ ാമത്തെ സ്ഥാനമാണ് കിട്ടിയതു്. ജനസംഖ്യയിൽ മൂന്നാമത്തേയും വിദ്യാഭ്യാസത്തിൽ രണ്ടാമത്തേയും ഇംഗ്ലീഷ് വിദ്യാഭ്യാസത്തിൽ മൂന്നാമത്തേയും സ്ഥാനമുള്ള സിറിയൻ കാത്തലിക്ക് സമുദായത്തിന് കമ്മീഷണരുടെ നിയമനങ്ങളിൽ ൧൪-ാമത്തെ സ്ഥാനം മാത്രമെയുള്ളു. ഇതു എത്ര ഭയങ്കരം. ഇതിനേക്കാൾ ജനസംഖ്യയിലും വിദ്യാഭ്യാസത്തിലും കുറവുള്ള മററു പല സമുദായങ്ങളുടേയും പിന്നിലായിട്ടാണ് തള്ളിയിരിക്കുന്നതു്.

മി. കൈനിക്കര പത്മനാഭപിള്ള: സിറിയൻ കാത്തലിക് സമുദായത്തിനു ശരിയായ പ്രാതിനിധ്യം കിട്ടാത്തതിന് ബ്രാഹ്മണരും നായന്മാ

രുമാണ് ഉത്തരവാദികളെന്ന് ആ സമുദായം ആക്ഷേപിച്ചു എന്നു പറയുകയുണ്ടായി. ഞാൻ അതിനോടു യോജിക്കുന്നില്ല. അനീതി കാണിക്കുന്ന ഉദ്യോഗസ്ഥന്മാരെ സമുദായം നോക്കാതെ ആക്ഷേപിച്ചിട്ടുണ്ട്. അനീതി പ്രവൎത്തിക്കുന്നതു പ്രവൎത്തിക്കുന്നവൎക്കുതന്നെ അപവാദത്തിനും അനുഭവിക്കുന്നവൎക്കു സങ്കടത്തിനും കാരണമാണ്. ഈ രണ്ടു സംഗതികളിലും നിന്നു രണ്ടുകൂട്ടരേയും മോചിപ്പിക്കണമെന്നുള്ള സഹതാപത്തോടുകൂടിയാണ് ഞാൻ ഈ വിഷയത്തെപ്പററി സംസാരിച്ചിട്ടുള്ളതു്. ഒരു സമുദായത്തിനു കിട്ടേണ്ട അവകാശം കൊടുക്കാതിരിക്കുന്നതു് അപഹരിക്കുന്നതിന് സമമാണ്. ഇന്നു പബ്ളിക്ക് സൎവീസിൽ നടക്കുന്നതു അത്തരത്തിലുള്ള അപഹരണമാണ്. ഈ തെററിനെ നമ്മുടെ ധൎമ്മരാജ്യത്തുനിന്നും ധ്വംസിക്കണമെന്നാണ് ഞാൻ പറഞ്ഞുകൊണ്ടിരുന്നതു്. ഇതിൽ ബ്രാഹ്മണരിലും നായന്മാരിലും ക്രിസ്ത്യാനികളിൽ ചില വിഭാഗങ്ങളിലും ഉൾപ്പെട്ട ഉദ്യോഗസ്ഥന്മാർ ഒരുപോലെ അപരാധികൾ ആയിരുന്നു. ചില ക്രിസ്ത്യാനി മേലദ്ധ്യക്ഷന്മാരുടെ ഭരണത്തിൻകീഴിലിരുന്ന വകുപ്പുകളിൽ നിന്ന് സിറിയൻകത്തോലിക്കൎക്കും ലാററിൻ കത്തോലിക്കൎക്കും മററു ഇതരവൎഗ്ഗങ്ങളിലെ മേലദ്ധ്യക്ഷന്മാരുടെ നിയമനങ്ങളിൽ ഉണ്ടായിട്ടുള്ളതിനേക്കാൾ കൂടുതൽ സങ്കടം ഉണ്ടായിട്ടുണ്ട്. ഇതിനെ സംബന്ധിച്ച് ചോദിച്ച ചോദ്യങ്ങൾക്കു അസംബ്ളിയിൽ നിന്നും കിട്ടിയ ഉത്തരങ്ങൾ ഇതിനു തെളിവാണ്. കഴിഞ്ഞ യോഗത്തിലും ക്രിസ്ത്യാനി മേലദ്ധ്യക്ഷന്മാർ നടത്തിയ നിയമനങ്ങളുടെ ഒരു സ്റ്റേററുമെൻറ ചോദിച്ചിരുന്നു. ഞാൻ ഒരു സമുദായത്തെ പേരുപറഞ്ഞു ആക്ഷേപിച്ചിട്ടില്ല. ഞാൻ മാത്രമല്ല, മറെറാരു കത്തോലിക്കനും അങ്ങിനെ ചെയ്കയും ഇല്ല. ആരുടേയും തെററു തെററുതന്നെ. അതു് പറയാതിരിക്കുവാൻ നിവൃത്തിയില്ല. ഉദ്യോഗസ്ഥന്മാർ പല വിഷയത്തിലും യോഗ്യന്മാരായിരിക്കാം. എന്നാൽ നിയമനവിഷയത്തിൽ അവർ ചില സമുദായങ്ങളോടു നീതി 'കാണിക്കുന്നില്ല. അതിൽ അവരോടു സഹതാപമല്ലാതെ വിദ്വേഷമില്ല. തെററിൻെറ ഫലം തെററു ചെയ്യുന്നവർ അനുഭവിക്കേണ്ടിവരും. ഇന്നത്തെ പബ്ളിക്ക്സൎവീസ് കമ്മീഷണരുടെ പക്കൽനിന്നും കിട്ടുന്ന അനുഭവംതന്നെ കത്തോലിക്കൎക്ക് ആപൽക്കരമാണ്. ബ്രാഹ്മണൎക്ക് ൯൪-ം, നായന്മാൎക്ക് ൪൬൭-ം, കമ്മാളൎക്ക് ൯൫-ം, നാടാർമാൎക്ക് ൯൨-ം, ഈഴവൎക്കു ൪൦൦-ം, മററു ഹിന്ദുക്കൾക്ക് ൫൮൪-ം, മുസ്ലീങ്ങൾക്ക് ൫൩൮-ം, ജേക്കബൈററ്സിന് ൫൩൮-ം, മാൎത്തോമ്മാക്കാൎക്കു ൫൮൩-ം, എസ്സ്. ഐ. യു. സി-ക്ക് ൫൫൩-ം, മററു ക്രിസ്ത്യാനികൾക്കു ൫൩൫-ം ഉദ്യോഗങ്ങൾ നൾകിയപ്പോൾ സിറിയൻ

[Mr. Thariathu Kunjithommen.]

കത്തോലിക്കർക്ക് ൮൨ മാത്രമാണ് മിസ്റ്റർ. നോക്സ് കൊടുത്തതു്. ഇതിൽ മററു ക്രിസ്ത്യാനികൾ ഒരു ലക്ഷത്തോളം മാത്രമെ ജനസംഖ്യയുള്ളൂ. അതിലധികവും ആംഗ്ലിക്കൻസ് ആണ്. അവർക്കാണ് ൧൩൧ ഉദ്യോഗങ്ങൾ കൊടുത്തിട്ടുള്ളതു്. ആർക്കും കൂടുതൽ കൊടുക്കുന്നതിൽ എനിക്കു സങ്കടമില്ല. എന്നാൽ അഞ്ചുലക്ഷത്തോളം വരുന്ന ഒരു വമ്പിച്ച ജനവിഭാഗത്തിനു കൊടുത്ത ഉദ്യോഗങ്ങൾ വെറും ൮൨ ആയിപ്പോയതിൽ വ്യസനിക്കാതിരിക്കാൻ നിവൃത്തിയില്ല. ഈ വലിയ സമുദായം എന്തപരാധമാണ് കാണിച്ചതു്? ഗവണ്മെൻറിനെ ഭക്തിയോടുകൂടി സേവിക്കയും വേണ്ട അവസരങ്ങളിലെല്ലാം സഹായിക്കയും രാജ്യത്തേയും ജനങ്ങളേയും സ്നേഹിക്കയും ചെയ്യുന്ന ഒരു ജനവിഭാഗമാകുന്നു സിറിയൻകാത്തലിക്സ്. ഇവരിൽ അധികവും ഭൂസ്വത്തുടമസ്ഥന്മാരാണ്. ഈ സമുദായത്തിൽ നിന്നും പ്രവൃത്തികാരന്മാരെ നിയമിച്ചാൽ നികുതി പിരിയുകയില്ലേ? എക്സൈസ്സിൽ നിയമിച്ചാൽ കാര്യക്ഷമത ഇല്ലാതെവരുമോ? പോലീസ് ഡിപ്പാർട്ടുമെൻറിൽ നിയമിച്ചാൽ കാര്യം നടത്തുകയില്ലേ? ഏതെങ്കിലും ഡിപ്പാർട്ടുമെൻറു അദ്ധ്യക്ഷന്മാർ, സിറിയൻ കത്തോലിക്കരെ ഉദ്യോഗത്തിൽ നിയമിക്കുന്നതുകൊണ്ടു് കാര്യക്ഷമതക്ക് ഹാനി വരുന്നുവെന്ന് ഗവണ്മെൻറിനോടു പറഞ്ഞിട്ടുണ്ടോ? അല്ലെങ്കിൽ പബ്ളിക്ക്സർവീസ് കമ്മീഷണർക്കു എഴുതി അയച്ചിട്ടുണ്ടോ?

അനീതി കളയാനായിട്ടു ഏർപ്പെടുത്തിയ ഒരു സ്ഥാപനമാണ് പബ്ളിക്ക്സർവീസ്കമ്മീഷണരുടെ ആഫീസ്. അവിടെ ഭയങ്കര അനീതിതന്നെയാണ് നടക്കുന്നതു്. ഈ സ്ഥിതി കഴിയുന്നതും വേഗത്തിൽ മാററണം.

ഗവണ്മെൻറിനേയും പബ്ളിക്കിനേയും സേവിക്കണമെന്നുള്ള ഉദ്ദേശംകൊണ്ടാണ് ഞങ്ങൾ ഉദ്യോഗം വേണമെന്നു ആവശ്യപ്പെടുന്നതു്. അല്ലാതെ പണം വേണമെന്നു ആഗ്രഹമില്ല. ഉദ്യോഗങ്ങൾ ആർക്കു കൊടുക്കുന്നതിലും ഞങ്ങൾ അസൂയാലുക്കളുമല്ല. കാര്യക്ഷമത, ജനക്ഷേമം ഇതുകളാണ് ഞങ്ങൾ കാര്യമായി ഗണിക്കുന്നതു്. അതിലേക്കു വേണ്ടി എന്തു ത്യാഗവും ചെയ്വാൻ ഞങ്ങൾ തയ്യാറാണ്. വർഗ്ഗീയപ്രാതിനിധ്യം സ്വീകരിക്കുന്നതു കാര്യക്ഷമതക്കു ബാധകമല്ലാ, സാധകം ആണെന്നാണ് എൻെറ പൂർണ്ണവിശ്വാസം. അതുകൊണ്ടാണ് ഈ വിഷയത്തിൽ നടക്കുന്ന അനീതിയെ നശിപ്പിച്ചു് രാജ്യത്തിൻെറ സൽകീർത്തിയും ജനക്ഷേമവും വർദ്ധിപ്പിക്കണമെന്ന് അടിക്കടി ഞാൻ പറഞ്ഞുകൊണ്ടി

രിക്കുന്നതു്. ഗവൺമെൻറ എന്നു പറഞ്ഞാൽ ഉദ്യോഗസ്ഥന്മാരുടെ സമൂഹം എന്നാണല്ലോ പ്രായോഗികമായി ധരിക്ക. മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു് ഓരോ ഉദ്യോഗസ്ഥന്മാൎക്കും ഓരോ അധികാരം കൊടുക്കുന്നു. ആ അധികാരം പ്രയോഗിച്ചു് അവർ ജനങ്ങളെ രക്ഷിക്കയും ശിക്ഷിക്കയും ചെയ്യുന്നു. അതിലേക്കു എല്ലാ സമുദായക്കാരേയും എടുക്കേണ്ടതു് ന്യായമല്ലേ.

പബ്ളിക്ക് സർവീസ്സ് കമ്മീഷണൎക്കു ഒരു അഡൈ്വസറി ബോർഡു് ഏർപ്പെടുത്തുകയൊ അല്ലെങ്കിൽ ഒരു സ്റ്റാഫ് സെലക്ഷൻ ബോർഡു രൂപീകരിക്കുകയൊ ചെയ്താൽ അനീതി വളരെ കുറയും. പബ്ളിക്ക് സർവീസ്സ് കമ്മീഷണരുടെ ആഫീസ്സിൽതന്നെ കത്തോലിക്ക് സമുദായത്തിൽനിന്നും ആരുമില്ല. ഹജൂരിലെ വലിയ സ്ഥാനങ്ങളിലോ ഡിപ്പാർട്ടുമെൻറ അദ്ധ്യക്ഷന്മാരുടെ കൂട്ടത്തിലൊ ഈ സമുദായത്തിൽ നിന്നും ആരുമില്ലായെന്നു ആവൎത്തിച്ചാവൎത്തിച്ചു് പ്രസ്താവിച്ചുകഴിഞ്ഞു. അതുകൊണ്ടു ഇന്നത്തെ രീതി ഭേദപ്പെടുത്തേണ്ടതു അത്യാവശ്യമാണു്.

MR. M. SIVATHANU PILLAI: മെംബർ ഇതുവരെ പബ്ളിക്ക് സർവീസ്സ് റിക്രൂട്ടുമെൻറ റൂൾസിൽ ഭേദഗതി വരുത്തണമെന്നു പറഞ്ഞിട്ടുണ്ടോ?

MR. THARIATHU KUNJITHOMMEN: ഉണ്ടു്. ബഡ്ജറ്റ പൊതു വിമർശനാവസരങ്ങളിലും പബ്ളിക്ക് സർവീസ്സ് കമ്മീഷണരുടെ ആഫീസ്സ് ചെലവിലേക്കുള്ള കട് മോഷൻ വരുമ്പോഴും ധാരാളം പറഞ്ഞിട്ടുണ്ടു്.

MR. A. K. KUMARAN VAIDYAN: ഞാൻ ഈ പ്രമേയത്തെ എതിർക്കുന്നു. പബ്ലിക്ക് സർവീസ്സ് കമ്മീഷണരുടെ നിയമനത്തിനുശേഷം അസമത്വം അനുഭവിക്കുന്ന സമുദായങ്ങളുടെ സങ്കടത്തിനു തക്കതായ പരിഹാരം ഇതുവരെ ഉണ്ടായിട്ടില്ല. തിരുവിതാംകൂറിലെ ജനസംഖ്യയിൽ ഭൂരിപക്ഷം വരുന്ന ചില സമുദായങ്ങൾക്കു പബ്ലിക്ക് സർവീസ്സിൽ ന്യായമായ പ്രാതിനിധ്യം ലഭിക്കാതെ വളരെക്കാലം തുടൎച്ചയായി അനുഭവിച്ചുവന്ന അസമത്വപരിഹാരത്തിനായി അവർ നടത്തിയ നിവേദനങ്ങളുടെ ഫലമായിട്ടാണല്ലോ ഗവൺമെൻറിൽ നിന്നും പരീക്ഷണാൎത്ഥമെങ്കിലും ഈ വ്യവസ്ഥകൾ നടപ്പിലാക്കിയതു്. ഈ പദ്ധതി ഉദ്ദേശം മൂന്നു വർഷക്കാലം പരീക്ഷിച്ചു നോക്കി. ഇനിയും അവശസമുദായങ്ങളുടെ പ്രാതിനിധ്യക്കുറവിനു പറയത്തക്ക യാതൊരു വ്യത്യാസവും ഉണ്ടായിട്ടില്ല. മുമ്പുണ്ടായിരുന്ന അസമത്വങ്ങൾ ഒരുതരത്തിലും മാറിയിട്ടില്ലെന്നുള്ളതോ പോകട്ടെ. ഈ മൂന്നു വർഷക്കാലത്തിനുള്ളിൽ ഈ നിബന്ധനകളനുസരിച്ചു നടത്തിയ നിയ

[Mr. A. K. Kumaran Vaidyan.]

മനങ്ങളിൽ പോലും അസമത്വസമുദായങ്ങൾക്കു ന്യായമായ പ്രാതിനിധ്യം ലഭിച്ചിട്ടില്ല. ഹയർഡിവിഷനിൽ സമുദായപ്രാതിനിധ്യതത്വം പൂർണ്ണമായി അംഗീകരിച്ചിട്ടില്ലെങ്കിലും നിയമനങ്ങൾ നടത്തുമ്പോൾ അസമത്വസമുദായങ്ങളുടെ അവകാശങ്ങളെ പരിഗണിക്കുമെന്ന് അവർ ആശിച്ചിരുന്നു. ൧൫൦ രൂപായ്ക്കുമേൽ ശമ്പളമുള്ള ൪൩൩ ഉദ്യോഗങ്ങൾ തിരുവിതാംകൂറിലുണ്ട്. പക്ഷെ ആ ൪൩൩-ൽ ജനസംഖ്യയിൽ ആറിലൊന്നു വരുന്ന ഈഴവർ വെറും പതിനേഴ് മാത്രം. ഇൻറർമീഡിയററ് ഡിവിഷനിൽ ൪൦ ശതമാനം റിസർവേഷനും ൬൦ ശതമാനം കാര്യക്ഷമത എന്നും നിശ്ചയിച്ച് നിയമനങ്ങൾ നടത്തി. എന്നിട്ടും ഫലം എന്താണ്? ഈ ഡിവിഷനിലേക്ക് ൧൧൧൩-ൽ നടത്തിയ ൩൮൨ നിയമനങ്ങളിൽ ൮൩ ഈഴവരേയുള്ളു. അവർക്കു കിട്ടേണ്ടിയിരുന്നതു ൧൨൨ ആണ്. ൧൧൧൪-ൽ ൩൫൬ നിയമനങ്ങൾ നടത്തി. ന്യായമായി ഈഴവർക്ക് ൩൯ നിയമനങ്ങൾ കിട്ടേണ്ടിയിരുന്നു. കിട്ടിയതോ ൪൧. ഇതിൽനിന്നും ഒന്നു പ്രത്യക്ഷമാകുന്നു. നിലവിലിരിക്കുന്ന വ്യവസ്ഥകൾ അസമത്വസമുദായങ്ങളുടെ സങ്കടപരിഹാരത്തിനു ഒരുകാലത്തും ഉതകുകയില്ല. ഈ വ്യവസ്ഥകൾ തുടൎന്നുകൊണ്ടുപോകണമെന്നാണോ ബഹുമാനപ്പെട്ട മെമ്പരുടെ ആഗ്രഹം. സഭയുടെ ആലോചനയിൽ ഇരിക്കുന്ന പദ്ധതി അസമത്വസമുദായങ്ങളുടെ സങ്കടങ്ങൾക്കു കുറേയെങ്കിലും പരിഹാരം നല്കുമെന്നു തീൎച്ചയാണ്. രാജ്യത്തിലെ സമുദായസൗഹാർദ്ദത്തെ സഹായിക്കുകയും ചെയ്യും. പ്രയോജനരഹിതവും അതൃപ്തികരവുമായ വ്യവസ്ഥകളെ മുറുകെപ്പിടിക്കുന്നതു് അവശസമുദായങ്ങളോടു ചെയ്യുന്ന ഒരു മഹാപരാധമായിരിക്കും. ഇപ്പോൾ ആലോചനയിൽ ഇരിക്കുന്ന വ്യവസ്ഥകൾ എത്രയും വേഗത്തിൽ നടപ്പിൽ വരുത്തുകയും ഒരു സർവീസ് കമ്മീഷണർ ഏർപ്പെടുത്തുകയും ചെയ്യണമെന്നു ശുപാർശ ചെയ്തുകൊള്ളുന്നു. മെമ്പറുടെ സമുദായത്തിൽ ഉള്ള ആളുകൾക്കു കൂടുതൽ ഉദ്യോഗങ്ങൾ കരസ്ഥമായിട്ടുണ്ടെന്നുവേണം ഉദ്ദേശിക്കുവാൻ. അതുകൊണ്ട് മി. ഫ്രാൻസിസിൻെറ പ്രമേയത്തെ എതിൎക്കുന്നു.

MR. D. FRANCIS: *ஸர், பப்ளிக் ஸர்வீஸ் கமிஷன் சம்மந்தித்சுநான் கொண்டுவந்த ரெஸலியூஷனை* (Resolution) *ப்பற்றி அபிப்பிராயம் கேட்டதில் ஒவ்வொருவருக்கும் ஒவ்வொருவிதமான அபிப்பிராயம் இருக்கிறது. அதனால் நான் முன் சொன்னதிலிருந்து ஒன்றும் மாற்றம் ஆவசியமில்லை. அதனால் ஏதாவது ஆவசியமானல் ஒரு அட்வைஸரிகமிற்றி எற்படுத்திக்கொள்ளலாம் என்று பிரஸ்தாபித்துக்கொண்டு என்னுடைய ரிப்ளையை முடித்துக்கொள்கிறேன்.*

The motion was put to vote and lost.

MR. C. JEBAMONY NADAR: I beg to move—

"That This Assembly recommends to Government that—

(1) communal representation be applied to all grades of public service.

(2) the advising authority and the appointing authority be one and the same person.

(3) all fresh recruitments from over-represented communities be stopped till the inadequately represented communities get their due share.

(4) if any advisory board is to be appointed minority communities be excluded from the scope of that board or that a board consisting of a majority of members from the backward communities be appointed.

(5) all permanent vacancies be reserved to unrepresented and inadequately represented communities for a definite period and to have a similar provision with regard to promotion also.

(6) the word 'qualification' be used instead of "efficiency."

Sir, yesterday, I have made some general observations on this question of communal representation. Now, when I suggest that that principle should be extended to 'all departments, I wish to say that it should be extended to those departments to which it does not apply now, the Transport Department...........

PRESIDENT: The expression that the honourable member has used in his motion is all 'grades' and not all departments.

MR. C. JEBAMONY NADAR: Yes, Sir. Before I deal with the question of extending the principle of communal representation to all grades of service, I want to urge upon the attention of Government the necessity for applying the principle of communal representation to all Government departments without any exception. Let us take for instance, the Transport Department. That has been newly organised. But, somehow, it so happens that certain communities have practically been excluded from that Department; and it is painful to note that the communities so excluded are the communities coming under the category of backward classes. Sir, I do not see what special qualification, or special aptitude or efficiency is necessary for a conductor's job or that of a parcel clerk; one can understand the argument that for driving the vehicles special training and experience are necessary, but certainly not for selling tickets or for lifting passengers' luggage. There is therefore no justification for excluding certain communities from appointments in the Transport Department.

Sir, being a matter that gave room for discontent and heart-burning the government have long accepted the principle underlying communal representation, I need not therefore argue out that position. It is sufficient to urge that principle should be extended to all departments except perhaps the University, to all grades of public service so that what is applicable to the part may apply to the whole also.

[Mr. C. Jebamony Nadar.]

Sir, under the present Rules, so far as the lower division is concerned, there is complete communal representation; and in the intermediate division 60 per cent. of the appointments go by an efficiency test and the remaining 40 per cent. according to communal rotation. In the higher division, efficiency is stated to be the sole consideration. Recently, the T. C. S. examination has also been instituted. My point is that if communal representation can be followed in regard to certain grades, there is absolutely no reason why it should not be applied to all other grades and appointments.

Sir, I have very serious objection to what is called the 'efficiency test.' It really causes anxiety in my mind. I would have had absolutely no complaint if by this efficiency test it was meant any prescribed degree or diploma or certificate. Without any intention to wound anybody's feelings, I may say that this so-called efficiency test is the root cause of troubles and it is really a dangerous test. It is used as the weapon of attack against the unfavoured people. I believe that in some cases this test is being conducted by a committee of experts. But these experts also belong to certain communities. And, what exactly is the test that they are to apply is not defined; they do what pleases them. My point therefore is that the word 'efficiency' is too vague and hence dangerous. In the resolution moved by Mr. Kainikkara Padmanabha Pillai, in Clause 7, the word 'suitable' is used. That again is as vague if not more than the word 'efficiency', and is therefore likely to give room for ignoring the claims of certain communities. It is these loose expressions that give room for the appointing authorities to do what they like. If, for a clerk's post, two graduates come forward, I do not know what efficiency test can be applied in chosing between them; sir, it is only after trying both of them for some time that one can find who is really the better clerk among the two. I should therefore submit that efficiency is made up of nothing else but opportunity and experience. So, according to me, the only practicable test is academical or technical qualification. That would be a reasonable standard unlike the uncertain discretion of men.

(The house adjourned for lunch at 1 P. M. and reassembled at 2 P. M. with the President in the Chair.)

MR. C. JEBAMONY NADAR: In my humble view honesty would be a better qualification for public service than efficiency. Even yesterday we were told that some officers were found guilty of misappropriation, but they might have been very efficient officers. But how is it conducive to public service? Let us therefore have it as qualification instead of efficiency.'

The next point that I have to deal with is that the advising authority and the appointing authority must be one and the same person. I suggest this because of certain practical difficulties now experienced. As matters stand at present, the Commissioner can simply advise. A memo card is issued to the applicant intimating him that he is recomended to a certain post. But nobody is sure whether

he will be appointed to that post. He goes to the head of the department who may tell him that there is no vacancy. In fact we come across various such instances. Sometimes the candidate does not get that place for various reasons, some not worth mentioning here. To avoid this anomaly the appointing authority and the advising authority should be one and the same person. There is also another handicap now experienced by the Commissioner. As rules stand, the Commissioner can announce vacancy only if he is intimated of that fact by the head of the departments concerned. In many cases even if there are vacanceis the fact is not intimated to the Commissioner. I am told that such cases occur more in the Judicial Department in regard to the appointments of Amins, Copyists and Process servers. If this is the condition, then, we can very well say that such appointments are some how or other taken from the hands of the Service Commissioner. So it is imperative that the advising authority and the appointing authority must be one and the same person and then there will be no chances of suppressing information with regard to the occurrence of vacancies. Another difficulty also I have to point out. Certain short vacancies may last for a few days for which the Service Commissioner may send a person. But the next day a permanent vacancy might arise. The person who acted in the short vacancy may be one who belongs to an unrepresented community and he who is appointed in the permanent vacancy may be one who belongs to the over-represented community. If the advising authority is also the appointing authority he can have a sort of control over this state of affairs.

Next I come to the constitution of an advisory board. I am of the opinion that the proposed board should not be constituted. What is that board? It is only an advisory board. The Commissioner himself is an advising authority. Why should we have two advising authorities? That would be superfluous. Besides that board will only make matters more complicated likely to affect the smooth working of the department. But if any board is to be constituted my submission is that it should consist of representatives from communities which are inadequately represented in public service. I don't see any reason why there should be a majority of members in that board who belong to over represented communities. I find also that the idea of creation of a board does not find favour in the report of the Service Commissioner. I entirely agree with him in this view.

Now, a word, about stopping of the appointments to the members of those communities which are over-represented. Yesterday it was stated here that there is a magnanimity shown by some communities. I only appeal to them to act up to that magnanimity, so that, we could establish perfect and unalloyed communal harmony and communal good-will in the land. I appeal to the representatives of over-represented communities to make some genuine gesture which would at once remove the conception entertained by the other communities that their rights and privileges are unsafe. If that is achieved it will go a great way in advancing the national welfare of the country. I don't mind

[Mr. C. Jebamony Nadar.]

even if the honourable members on the opposite side call this concession grace, charity or justice to their brethren who have been, perhaps unwittingly subjected to handicaps for very many years.

Then again Sir, the principle of rotation suggested by my honourable friend Mr. Kainikkara Padmanabha Pillai does not in any way tend to remove the existing inequality. Therefore some adjustment is necessary. I want to make it clear that I am making this appeal to the Government also. I confidently hope that in future everything will be in order. But at present there is communal inequality in the matter of the distribution of public offices. I am disappointed to note that no remedy is suggested. If you find out a remedy for this the whole communal fight can be solved and we on the floor of this House can concern ourselves with more important things concerning our national welfare. I say, Sir, let us all as friends, as brothers put our heads together and try to find out a just solution. Let us not attribute motives to one another. That is all that I have to say on this question.

Now, as a matter of duty which I owe to the honourable House, I have to answer some observations made by my honourable friend Mr. Kainikkara Padmanabha Pillai. Sir, yesterday, I pointed out certain mistakes in his paper but he said that it was divine. I would tell him that I believe in a God who does not commit mistakes. If my honourable friend had conceded that it was a mistake, certainly, I would have appreciated him. I am also sorry to say, Sir, that there was some reference made here to the effect that certain communities entertain some sort of misgivings because the Head of the Administration took part at a conference between the Nairs and the Ezhavas. For my part, I may say that I have absolute confidence in the Head of the Administration and I do not think that there is anybody here who will have any doubt about it. On the other hand, the suspicion was created in this way *viz.*, certain majority communities by agreeing among themselves are trying to impose their will on the minority communities. That was the impression that prevailed among minority communities. That must necessarily give cause to certain amount of anxiety in the minds of those belonging to the minority communities. Perhaps taking advantage of the very good intentions of the Head of the Administration certain persons might have used it as a sort of canvassing and thereby strengthening their position in the country.

PRESIDENT : Had any body ever dared to say that the Head of the Administration was ever consulted about these propositions or given his consent to any one of them? It is not a fact. The Head of the Administration was not consulted about a single one of these resolutions, nor has he passed an opinion about them. If the other communities want to talk to each other either at Bhakthivilas or here in the Legislative Chamber or in the Secretariat room, and come to mutual agreement, all facilities will be given. Where is the reason for any suspicion in this matter?

MR. C. JEBAMONY NADAR: I suspect no negotiation. Nothing between them and the Government. It is only, the conduct of certain people who avail themselves of this opportunity as a circumstance for strengthening their position. It is that that is being objected to and nothing else.

I have also to point out another circumstance. Now, the basis of calculation for allotment of seats is one that existed 10 years ago, that is, according to the Census of 1931. One of the honourable members, Mr. D. Francis, while tabling a motion, "for no change of existing rules" had perhaps in his mind the ensuing Census. Why not we wait for some more time and obtain better data and better figures and proceed on facts as they exist instead of proceeding on something that existed ten years ago. We do not know what the population of the different communities would be after the Census of 1941. Sir, some people take pleasure in saying that others want to stand in the way of an agreement being reached between certain communities. I cannot but deprecate such propaganda. Let that be stopped once for all. If it be a case of natural justice my friends of the Nayar-Ezhava conference could have invited members of other communities also to take part in the deliberations. Then perhaps an agreement acceptable to all communities could have been entered into. At a time when there is so much cry regarding the inadequacies of the Public Service, if two communities are to come together and pass resolution intending to bind the whole country, naturally some suspicion will be caused in the minds of the other communites.........

MR. KAINIKKARA M. PADMANABHA PILLAI: Is it the position of the member that the Nairs and the Ezhavas should not have met together to discuss things?

MR. C. JEBAMONY NADAR: If they had met on a matter affecting their individual matters without considering the claims and rights of others, certainly they would have been perfectly within their limits to combine and discuss things. But when those two communities meet and frame rules on behalf of all other communities and decide as to their rights in their absence, certainly it is a matter of grievance to those communities behind whose back the meeting took place. That such a meeting taking place without notice to others, lacks in courtesy and is not in accordance with the rules of natural.........

MR. KAINIKKARA M. PADMANABHA PILLAI: Does the member say that the conclusions arrived at by the Nair-Ezhava conference bind any one community?

MR. C. JEBAMONY NADAR: Certainly not. But my honourable friend has introduced that in the form of a resolution.........

MR. KAINIKKARA M. PADMANABHA PILLAI: No, emphatically not. Sir, a word of personal explanation. What I have placed before the House as a resolution is not the conclusions of the Conferences of Nairs and Ezhavas, but the conclusions of the National Congress party.

MR. C. JEBAMONY NADAR: But, the honourable member read from that paper that is put into the hands of the honourable members in this House. I could understand Mr. Padmanabha Pillai if he did not read from the two sets of papers while moving the resolutions. The two sets of decisions being against natural justice I ignore them.

Even now, I can assure the Government that members of all communities would be only too glad to meet at any place to have an informal talk on this matter. Therefore, in the interest of the State, I wish that the matter may be adjourned for some time so that all communities may, in fact come together and come to some unanimous conclusion so that Government may have the views of all their subjects, on this very important matter, which has been giving rise to too many troubles in the last so many years.

With these words, I commend my resolutions for the acceptance of the House.

MR. PADIYARA JOSEPH KUNJU: Sir.........

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, nobody has seconded the resolution.

MR. K. P. KOCHUKORA THARAKAN: Sir, I second it.

MR. PADIYARA JOSEPH KUNJU: ഞാനുൾപ്പെട്ട പാർട്ടിയിൽനിന്നും ആലോചിച്ചുകൊണ്ടുവന്നിട്ടുള്ളതും ഞാനുൾപ്പെട്ട പാർട്ടിയിലെ നേതാവ് ഇവിടെ ഹാജരാക്കിയിട്ടുള്ളതുമായ ഭേദഗതിയെ ആരുംതന്നെ എതിർക്കുമെന്നു വിചാരിച്ചിരുന്നില്ല. നിർഭാഗ്യവശാൽ അങ്ങിനെയല്ല കണ്ടതു്. ഈ പ്രശ്നത്തെപ്പററിയുള്ള വാദഗതി ഇങ്ങിനെ തുടരുകയാണെങ്കിൽ അതു് എവിടെ ചെന്നവസാനിക്കുമെന്നും എപ്പോഴവസാനിക്കുമെന്നും എങ്ങിനെ അവസാനിക്കുമെന്നും പറയാൻ എനിക്കു തന്നെവല്ലരെ സംശയം തോന്നുന്നുണ്ട്. അസുഖകരമായ സംസാരത്തെ നിവാരണം ചെയ്യുന്നതിനു വേണ്ടി—അനാവശ്യമായ ഭേദഗതികളെ ഇല്ലാതാക്കുന്നതിനുവേണ്ടി—ഈ അസംബ്ളിയുടെ വിലയേറിയ സമയത്തെ നഷ്ടപ്പെടുത്താതിരിക്കുന്നതിനുവേണ്ടി—എന്റെ സ്നേഹിതൻ മി. ജപമണിനാടാർ പറഞ്ഞതുപോലെ അങ്ങയുടെ സാന്നിദ്ധ്യത്തിൽ വിവിധജാതിമതസ്ഥരുടെ പ്രതിനിധികളെ വിളിച്ചുവരുത്തി ആലോചന നടത്തിയതിനുശേഷം ഈ പ്രശ്നത്തെപ്പററി ഈ അസംബ്ളിയിൽ ആലോചിച്ചാൽ കൊള്ളാമെന്നാണ് എന്റെ അഭിപ്രായം. അങ്ങിനെ ചെയ്യുന്നതായാൽ പലവിധത്തിലുള്ള തെററിദ്ധാരണകളെ ദൂരീകരിക്കുന്നതിനും സാധിക്കുന്നതാണ്.

MR. P. S. MUHAMED (*Quilon cum Kottarakara*): ഈ അസംബ്ളിയിൽ അതു് വേണ്ടെന്നാണോ പറയുന്നതു്?

MR. PADIYARA JOSEPH KUNJU: അല്ല. ഇന്നുതന്നെ ഭക്തിവിലാസത്തുവച്ചു് ദിവാൻജി അവർകളുടെ സാന്നിദ്ധ്യത്തിൽ ഏതവസരത്തി

ലും ആലോചിക്കുന്നതിന് ഞങ്ങൾ തയ്യാറാണ. അതുകൊണ്ട് ഇന്നത്തെ അജൻറായിൽ നിന്നും മാററി നാളെ ഈ പ്രശ്നത്തെ വാദപ്രതിവാദത്തിന് എടുക്കണമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. KAINIKKARA M. PADMANABHA PILLAI: ഈ അസംബ്ലിയെത്തന്നെ ഒരു കമ്മിററിയായി രൂപാന്തരപ്പെടുത്തിയാൽ മതിയാകുമോ ?

MR. PADIYARA JOSEPH KUNJU: ഫാർമൽ ആയിട്ടോ ഇൻഫാർമൽ ആയിട്ടോ സംസാരിക്കുന്നതിനു വിരോധമില്ലെങ്കിലും ഇവിടെവച്ച് ഇതിനെപ്പററി ഒരു തീരുമാനം ചെയ്യാൻ വളരെ വിഷമമാണെന്നു എനിക്കു തോന്നുന്നു. അതുകൊണ്ട് ദിവാൻ പ്രസിഡൻറിൻെറ സാന്നിദ്ധ്യത്തിൽ ഇവിടെ വെച്ചോ അല്ലെങ്കിൽ ഭക്തിവിലാസത്തുവെച്ചോ ഇൻഫോർമൽ ആയ ഒരു സംസാരം നടത്തുന്നതു നന്നായിരിക്കുമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. KAINIKKARA M. PADMANABHA PILLAI: Why not this Assembly dissolve into a committee and discuss it here?

MR. P. S. MUHAMED: ഇനി ഒരു ആലോചനാ യോഗം ഇതിനു വേണ്ടി കൂടേണ്ടാവശ്യമില്ല. അതിനായി സമയം ദീർഘിപ്പിക്കണമെന്നുമില്ല. നായർ സമുദായവും ഈഴവസമുദായവും തമ്മിൽ ആലോചിച്ചു കൊണ്ടുവന്നിട്ടുള്ള തീരുമാനം മററുള്ളവക്ക് ഇഷ്ടമുണ്ടെങ്കിൽ സ്വീകരിക്കണം. അതല്ലാതെ ഭക്തിവിലാസത്തുപോയിത്തന്നെ ആലോചിക്കണമെന്നു പറയുന്നതു ഒരു നിർബന്ധമാണ്.

PRESIDENT: I do not exactly perceive the trend of the discussion. Let me at the outset reiterate what I have always stated and repeated more than once. Government were painfully aware that many communities felt very strongly on this question of Public Service. Government came to the conclusion that a great deal of avoidable waste of time was taking place, firstly, in collecting statistics in regard to communities and the division of appointments according to communities in every department and sub-department. secondly, in the matter of interpellations; and, thirdly in the matter of resolutions—waste of time which really resulted in the curtailing of the time available for much wider problems. For that reason Government was anxious, and continue to be very anxious, that there should be some end to all these serious controversies. At this juncture, and because the opinion of Government in this matter was not kept secret, but was mentioned to almost every one who came in contact with Government, certain Nair representatives and certain Ezhava representatives came together and asked for permission to meet, and for facilities to be given by the head of the Government for the purpose of getting information. The Head of the Government had at no time attended any meeting of these two communities in order to take active part in the talks, never assisted them in their deliberations and never gave them any suggestions. I

[President.]

was in my room upstairs and these gentlemen were in a room downstairs and the talk went on for some time and ultimately resulted in an agreement. There may have been an impression that there was some kind of influence or some permeation or perculation from upstairs but it is impossible to deal with these impressions. There was at no time in the mind of the Government any desire to exclude any community. I may add, as I stated in the opening observations, that I regarded this resolution as a means of getting all communities, views. Now, what I suggest—unless there is something special in meeting at Bhakthivilas—as a means of getting over the difficulties is, instead of sitting and debating in public till the evening, the House may form into a committee. I would ask every one of these official members to depart. Let it be an informal non-official committee and let them convince each other and come to a conclusion or agreement. If that is not enough we shall go on till tomorrow evening unless it is thought that Bhaktivilas is better. Let there be no misgiving or misunderstanding in this matter and let the honourable members talk over the matter quite informally and freely with each other and if there is any time or any possibility of the Head of the Administration being of any use in giving informal suggestions or information or assistance, it would be available to them. If this is not possible, this discussion will go on, as far as possible, today and then it will adjourn to Bhaktivilas. That is one way of meeting the situation. It is a matter which is in the hands of the House.

MR. T. C. KESAVA PILLAI: സമുദായപ്രാതിനിധ്യവാദം ഇവിടെ വളരെ മുമ്പുതന്നെ ഉണ്ടായിട്ടുള്ളതാണ്. ഇതുവരെ അതിന് ഒരു തീരുമാനം ഉണ്ടായിട്ടില്ല. മഹാരാജാവു തിരുമനസ്സുകൊണ്ട് ചെയ്യുന്ന തീരുമാനത്തെ യാതൊരു ശക്തിക്കും ആക്ഷേപിക്കുവാൻ സാധിക്കുകയില്ല. തിരുവിതാംകൂർ ചരിത്രത്തിൽ നോക്കിയാൽ ബ്രാഹ്മണർ, നായർ, നാഞ്ചിനാട്ടു വെള്ളാളർ ഇവർ തിരുവിതാംകൂർ സർക്കാരിൽ നിന്നും ഉദ്യോഗം മുഴുവനും എടുത്തു വന്നു. അവർ ശരിയാംവണ്ണം രാജാവിനെ കുറഞ്ഞ ശമ്പളത്തിനു സേവിച്ചിട്ടുണ്ട്. ചിലരുടെ സമ്പാദ്യങ്ങളെ കണ്ടുകെട്ടീട്ടും ഉണ്ട്. മററു സമുദായക്കാർ ഇപ്പോഴും അവർക്കു ഉദ്യോഗവിതരണത്തിന്റെ കുറവിനെ പരിഹരിക്കണമെന്നു പ്രാർത്ഥിക്കുന്നു. നായന്മാരുടേയോ ബ്രാഹ്മണരുടേയോ മററുസമുദായക്കാരുടേയോ സഹായസഹകരണം കൂടാതെ തന്നെ പൊന്നുതമ്പുരാൻ തിരുമേനിക്ക് ഈ വക സംഗതികൾ ചെയ്യാൻ സാധിക്കുന്നതാണ്. അതുകൊണ്ട് സംഗതിയുടെ ഗൗരവം മനസിലാക്കി നാമെല്ലാവരുംകൂടി ഏകോപിച്ച് ഇതിനു ഒരു തീരുമാനം ചെയ്യേണ്ടതാണ്. തെക്കൻ തിരുവിതാംകൂറിലുള്ള അരയസമുദായത്തിൽപ്പെട്ടവർക്ക് എത്ര ഉദ്യോഗം കിട്ടിയിട്ടുണ്ടെന്ന് എന്റെ മാന്യസ്നേഹിതൻ മി. ഫ്രാൻസിസ്കോ മി. ജപമണിനാടാരോ പറഞ്ഞാൽ കൊള്ളാം.

മി. ജാൺജോസഫിൻെറ വഗ്ഗത്തിൽപ്പെട്ട പ്രോട്ടസ്ററൻറുകാരിൽ എത്രപേർക്ക് ഉദ്യോഗം ലഭിച്ചിട്ടുണ്ടെന്നു അറിഞ്ഞാൽകൊള്ളാം. മി. നാടാരുടെ സമുദായത്തിൽപ്പെട്ട ധാരാളം ആളുകൾ പള്ളിക്കൂടം വാദ്ധ്യാന്മാരായിരിക്കുന്നുണ്ട്. അതുകൊണ്ട് നാം ഏതുവിധത്തിലുള്ള കണക്കുകൾ എടുത്തുകാണിച്ചാലും മഹാരാജാവു തിരുമനസ്സുകൊണ്ട് നമ്മുടെ അഭിപ്രായംപോലെ ചെയ്കയില്ല. ചില പ്രത്യേക പരിഗണനകൾ ആവശ്യമാണ്. അതിനാൽ എല്ലാവരും യോജിച്ച് പ്രവൎത്തിക്കണമെന്നപേക്ഷിച്ചുകൊള്ളുന്നു.

MR. P. S. MUHAMED : എൻെറ സ്നേഹിതൻ മി. ജപമണിനാടാരുടെ ഭേദഗതിയെ എതിൎക്കേണ്ടിവന്നതിൽ എനിക്കു വലിയ മനസ്താപമുണ്ട്. അദ്ദേഹം അസമത്വസമുദായങ്ങളുടെ നേൎക്ക് വളരെ അനുകമ്പ കാണിച്ചുകൊണ്ടാണ് ഈ ഭേദഗതി അവതരിപ്പിച്ചിരിക്കുന്നതു്. ഇവിടത്തെ എല്ലാ സമുദായക്കാൎക്കും സമാധാനപരമായ നിലയിൽ മുന്നോട്ടു പോകത്തക്ക വിധത്തിൽ ഉദ്യോഗനിയമനം നടത്തണമെന്നു നിശ്ചയിച്ച് അതനുസരിച്ച് ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയങ്ങളെ അഗണ്യകോടിയിൽ തള്ളിക്കളയാൻ ഇടവരുമെന്നുള്ളതിനാൽ ഈ ഭേദഗതി സ്വീകരിക്കാൻ നിവൃത്തിയില്ല, എന്നുള്ള സംഗതി ഇവിടെ അറിയിച്ചുകൊള്ളുന്നു. ഇതിൽ ഒന്നാമതായി പറയുന്നതു് ഹയർഡിവിഷനിൽ സമുദായ പ്രാതിനിദ്ധ്യമനുസരിച്ച് ഉദ്യോഗനിയമനം നടത്തണമെന്നാണ്. എൻെറ സ്വന്തം നിലയിൽ അഭിപ്രായം പറയുകയാണെങ്കിൽ എല്ലാസ്ഥലത്തും സമുദായപ്രാതിനിദ്ധ്യം വേണമെന്നു തന്നെയാണ് എനിക്കു പറയാനുള്ളതു്. കാൎയ്യനടപ്പുനോക്കിയാൽ അതിൻെറ പ്രായോഗികവശത്തെ നോക്കിയാൽ—നാളതുവരെ ഇൻററമീഡിയററ് സർവീസിൽ ൪൦ ശതമാനംമാത്രം അസമത്വസമുദായങ്ങൾക്ക് നീക്കിവച്ചിരിക്കുന്നു ഇന്നത്തെ സമ്പ്രദായത്തെ സ്വീകരിച്ചുകൊണ്ടിരിക്കുന്ന കൂട്ടർ നൂററിനു നൂറും വാങ്ങിക്കത്തക്കവിധം ന്യായമായ ചില തീരുമാനങ്ങൾ ചെയ്തിരിക്കുന്ന ഈ സന്ദർഭത്തിൽ അതു തെററാണെന്ന് പുറകോട്ടു മാറിനിന്ന് പറയുന്നതു് ഒരുതരം അത്യാഗ്രഹമാണ്. ൧൫൦ രൂപക്ക് താഴെയുള്ള നിയമനങ്ങളിൽ സമുദായപ്രാതിനിദ്ധ്യവും ജനസംഖ്യാനുപാതികമായ പ്രാതിനിദ്ധ്യവും അനുവദിച്ചുകൊടുക്കാമെന്ന് വിചാരിക്കുന്ന ഈ നിശ്ചയത്തെ എല്ലാവരും സ്വീകരിക്കുന്നതാണ് നല്ലതു്. അങ്ങിനെ ചെയ്താൽ അതു് പ്രയോജനപ്രദമായിതീരുമെന്ന് മാത്രമല്ല സമുദായങ്ങൾക്ക് സമാധാനപരമായി മുന്നോട്ടുപോകുന്നതിന് സാധിക്കുകയും ചെയ്യും. ഭേദഗതിയിൽ പറയുന്ന മറെറാരു സംഗതി അസമത്വം അനുഭവിക്കുന്ന സമു

[Mr. P. S. Muhamed].

ദായക്കാൎക്ക് ഉദ്യോഗനിയമനവിഷയത്തിൽ ശരിയായ പ്രാതിനിധ്യം കിട്ടുന്നതുവരെ അമിതപ്രാതിനിധ്യം കൈവശം വച്ചുകൊണ്ടിരിക്കുന്ന സമുദായക്കാരെ ഉദ്യോഗത്തിൽ നിയമിക്കാൻ പാടില്ലാ എന്നാണ്; അതായതു പ്രാതിനിധ്യം ശരിയായി കിട്ടിയതിനുശേഷം എല്ലാവരേയും തുല്യമായി നിയമിക്കണമെന്നാണ്. ഈ അഭിപ്രായവും അത്യാഗ്രഹത്തിന്റെ ഒരു ലക്ഷണംതന്നെയാണ്. ദേശീയമായ തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തി സ്ഥാപിച്ചിട്ടുള്ള നാഷണൽകാൺഗ്രസ്സ്, സമുദായവാദം ദേശീയമായ അഭിവൃദ്ധിക്ക് ദോഷം ചെയ്യുമെന്നുള്ളതിനാൽ അതിനെ അവസാനിപ്പിച്ചു എല്ലാ സമുദായങ്ങളും യോജിച്ചുനിന്ന് രാജ്യത്തിന്റെ പൊതുഗുണത്തിനു വേണ്ടി പ്രവൎത്തിക്കുന്നതിനുള്ള ഒരു രംഗം സൃഷ്ടിക്കുന്നതിനു വേണ്ടിയാണ് ഇങ്ങനെ ഒരു നിശ്ചയം കൊണ്ടുവന്നിട്ടുള്ളതു്. കൂടുതൽ ഉദ്യോഗങ്ങൾ വേണമെന്ന് ഇതുവരെ വാദിച്ചുകൊണ്ടിരിക്കുന്നവൎക്ക് ഇനി കുറെക്കാലത്തേക്ക് ഉദ്യോഗം കിട്ടാൻ നിവൃത്തിയില്ലാത്ത ഒരു വിഷമാവസ്ഥ ഉണ്ടാക്കിവയ്ക്കുന്നതായാൽ അതു നിമിത്തം വലിയ ആപത്തു സംഭവിക്കുന്നതാണ്. അങ്ങിനെ ചെയ്താൽ രാജ്യത്തിൽ സമാധാനം ഉണ്ടാകുകയില്ല. ഓരോ സമുദായത്തിനും അവരവർ അൎഹിക്കുന്ന ഓഹരി ലഭിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി കൊണ്ടുവന്നിട്ടുള്ള ഈ പ്രമേയത്തെ എതിൎത്തിട്ട് ഭേദഗതി സ്വീകരിച്ച് അതിനെ ഈ അസംബ്ലിയിൽ പാസാക്കിയാലും തിരുവിതാംകൂറിന്റെ ഇന്നത്തെ നിലക്ക് ഗവണ്മെന്റിന് അതു സ്വീകരിക്കാൻ സാധിക്കുമെന്നു തോന്നുന്നില്ല. അതുകൊണ്ട് ഇവിടെ ഹാജരാക്കിയിരിക്കുന്ന പ്രമേയത്തെ എല്ലാവരും യോജിച്ച് സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കുന്നു എങ്കിൽ അത് സ്വീകരിക്കണം. പ്രമേയത്തെ പ്രായോഗികമാക്കാതിരിക്കാൻ വേണ്ടിയല്ലേ ഈ ഭേദഗതി കൊണ്ടുവന്നിട്ടുള്ളതെന്ന് സംശയിക്കേണ്ടിയിരിക്കുന്നു.

MR. A. K. KUMARAN VAIDYAN : പ്രമേയത്തെ പ്രായോഗികമാക്കാതിരിക്കാൻ വേണ്ടിയല്ല, നേരേമറിച്ച് ചില സമുദായങ്ങളുടെ വിഷമത്തെ ഇല്ലാതാക്കാൻവേണ്ടിയാണ് ഭേദഗതി കൊണ്ടുവന്നിട്ടുള്ളതു്.

MR. P. S. MUHAMED : വിഷമം ധാരാളം കാണും. ഇന്നും അവൎക്ക് ഉദ്യോഗം കൊടുക്കുന്നില്ലെന്നു പറഞ്ഞു അസുഖമായി കഴിച്ചുകൂട്ടുകയാണ്. അങ്ങനെ വരരുതെന്നാണ് ഞങ്ങളുടെ ആഗ്രഹം.

MR. KAVIYOOR K. K. KOCHUKUNJU (*Nominated*) : ലിസ്റ്റിൽ എല്ലാ സമുദായക്കാരേയും ഉൾപ്പെടുത്തിയിട്ടുണ്ടോ?

MR. P. S. MUHAMED : എല്ലാവരേയും ഉൾപ്പെടുത്തിട്ടുണ്ട്.

PRESIDENT : I must make it perfectly plain. I have not given the Nair representatives nor the Ezhavas any inkling of the ultimate decision of Government on this matter. I have not told them, nor can they take it from me, that I am in favour of any one or more of those resolutions. But I have said this. If representatives of all or a large number of communities are agreed in general upon those resolutions, then it will be the duty of Government as far as possible, in the interest of peace and harmony, to implement those resolutions. So far, I have prevented myself from giving any idea of how my mind moves or how the mind of Government moves on any of these propositions. To ask me to give a lead in these matters would be to make things more difficult and not less difficult.

MR. P. S. MUHAMED : സർ,.........

PRESIDENT : Order, order. The suggestion that I have put forward is a *via media.* If that is not accepted, let the debate go on.

MR. N. JOHN JOSEPH : സർ, വർഗീയ പ്രാതിനിധ്യം അനുസരിച്ചുമാത്രമേ പബ്ലിക് സർവീസിൽ നിയമനങ്ങൾ നടത്താവൂ എന്നു ബഹുമാനപ്പെട്ട മെമ്പർ ജ്ഞാനമണി നാടാർ അവർകൾ അവതരിപ്പിച്ചിട്ടുള്ള നിശ്ചയത്തോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. എന്നാൽ ക്രിസ്ത്യാനികളുടെ ഇടയിലെ സമുദായവിഭജനം ജാതിപരമായിട്ടല്ല. നേരെ മറിച്ചു മതപരമാകയാൽ അവശക്രിസ്ത്യാനികൾക്കു അവർ അർഹിക്കുന്ന രീതിയിൽ ഉള്ള നിയമനം ലഭിക്കുന്നതിനു ഒരു പ്രകാരത്തിലും ഇടയാകുന്നില്ല. അവർ അർഹിക്കുന്ന നിയമനങ്ങൾ അവരുടെ പേരും പറഞ്ഞു സവർണ്ണക്രിസ്ത്യാനികൾ കയ്യടക്കംചെയ്തുവരികയാണു. ആ വക സംഗതികളെപ്പറ്റി വിശദമായ ഒരു വിവരണം ഗവൺമെന്റിനെ ധരിപ്പിക്കേണ്ടതിനു ഞാൻ ഒരു റെസല്യൂഷൻ കൊണ്ടുവന്നിട്ടുണ്ടു്. ആ റെസല്യൂഷൻ ഇതോടു ചേർത്തു സംസാരിക്കുന്നതിനു അനുമതി തരുവാൻ ഞാൻ അപേക്ഷിക്കുന്നു. സർ, ക്രിസ്ത്യാനികളുടെ ഇടയിലെ സമുദായ വിഭജനം മതപരമായ ഒന്നാകയാൽ സവർണ്ണക്രിസ്ത്യാനികളോടു മതവിശ്വാസത്തിൽ മാത്രം ഒന്നായി നിൽക്കുന്ന അവശക്രിസ്ത്യാനികൾക്കു അവർ അർഹിക്കുന്ന ഉദ്യോഗദാനം ലഭിച്ചുവരുന്നില്ല. സിറിയൻകത്തോലിക്ക്, ലത്തീൻകത്തോലിക്ക്, യാക്കോബായ, മാർത്തോമാ, സൌത്തിൻഡ്യൻയുണൈറ്റഡ് ചർച്ച്, അദർ ക്രിസ്ത്യൻസ് എന്ന സഭകളെ സമുദായങ്ങളായി പരിവർത്തനം ചെയ്കയും അവശക്രിസ്ത്യാനികളെ മേൽപറഞ്ഞ സമുദായങ്ങളിൽ ചേർത്തിട്ടിരിക്കുകയുമാണു്.

MR. A. K. KUMARAN VAIDYAN: സർ, അദർ ക്രിസ്ത്യൻസ് എന്നു പറയുന്നതിൽ ആരെല്ലാം ഉൾപ്പെടും?.

MR. N. JOHN JOSEPH : ഗവൺമെൻറു ചീഫ്സെക്രട്ടറിയായിരുന്ന മി. ജാർജ്ജ് ഉൾപ്പെട്ട സിറിയൻക്രിസ്ത്യാനി സമുദായവും വെള്ളാളസമുദായത്തിലെ ക്രിസ്ത്യാനികളും അദർ ക്രിസ്ത്യാനി എന്ന വകുപ്പിലുൾപ്പെടും.

MR. M. L. JANARDANAN PILLAI (*Nominatd*): വെള്ളാളസമുദായത്തിൽപ്പെട്ടവരും അദർക്രിസ്ത്യാനികളാണോ?

MR. N. JOHN JOSEPH: ചില സഭകളുടെ വിഭാഗത്തിൽപ്പെട്ട വെള്ളാളസമുദായത്തിൽപെട്ടവരെ അദർ ക്രിസ്ത്യൻസിൻെറ കൂട്ടത്തിൽ ചേർത്തിട്ടുണ്ട്. ഗവണ്മെൻറിൽനിന്നും ഏർപ്പെടുത്തിയിരുന്ന പബ്ളിക്സർവീസ് റിക്രൂട്ടുമെൻറു കമ്മററിയിൽ അവശക്രിസ്ത്യാനികൾ ആരുംതന്നെ ഉണ്ടായിരുന്നില്ല. സ്വാധീനബലമുള്ള സിറിയൻക്രിസ്ത്യൻമെമ്പറന്മാർ മേൽപറഞ്ഞ പ്രകാരം സമുദായവിഭജനം ഏർപ്പെടുത്തുകയും അവശക്രിസ്ത്യാനികളുടെ തലക്കുടെ എണ്ണി അവർക്ക് ലഭിക്കേണ്ട ഉദ്യോഗങ്ങൾ സവർണ്ണർക്ക് ലഭിക്കത്തക്കവണ്ണം കൈയടക്കം ചെയ്തു വച്ചിരിക്കുകയുമാണ്. ഇതു ഒരു വലിയ ചതിയും തന്ത്രവുമാണ്. അതിനാൽ അവശക്രിസ്ത്യാനികളെ സവർണ്ണക്രിസ്ത്യാനികളിൽനിന്നു വേർതിരിച്ച് ഒരു പ്രത്യേകവിഭാഗമാക്കി അവരുടെ സംഖ്യയ്ക്കു് ഒത്തവണ്ണമുള്ള ഉദ്യോഗപ്രാതിനിധ്യം അവർക്കു പബ്ളിക്സർവീസിൽ ലഭിക്കത്തക്കവണ്ണം നിയമത്താൽ വ്യവസ്ഥ ചെയ്യണമെന്നു ഞാൻ ബഹുമാനപ്പെട്ട ഗവണ്മെൻറിനോടപേക്ഷിക്കുന്നു. അവശക്രിസ്ത്യൻവകുപ്പിൽ ഒന്നായ ചേരമർക്രിസ്ത്യാനികളുടെ സംഖ്യതന്നെ ൧൬൭,൪൧൩ ആണ്. ൧൨൭,൨൪൩ അംഗങ്ങൾ മാത്രമുള്ള മാർത്തോമാക്കാരെയും ൧൩൪,൯൭൪ പേർ മാത്രമുള്ള സൌത്തിൻഡ്യൻയുണൈറ്റഡ് ചർച്ചിനെയും ഓരോസമുദായങ്ങളായി പരിഗണിപ്പാൻ തയാറായ ഗവണ്മെൻറു് മേല്പറഞ്ഞ രണ്ടു സമുദായങ്ങളെക്കാൾ യഥാക്രമം ൧൬,൩൭൦-ം ൧൪,൪൬൬-ം പേർവീതം കൂടുതലും ൧൬൭,൪൧൩ അംഗങ്ങളുമുള്ള ചേരമർ ക്രിസ്ത്യാനികളെ ഒരു സമുദായമായി സ്വീകരിപ്പാൻ നൽമനസ്സുണ്ടാകാഞ്ഞതിൽ ഞാനത്യന്തം വ്യസനിക്കുന്നു. അവശക്രിസ്ത്യാനികളിൽ കൂടുതൽ സംഖ്യാബലമുള്ള സമുദായങ്ങൾ ചേരമരും സാംബവരുമാണ്. ചേരമരുടേയും സാംബവരുടേയും സംഖ്യാബലംതന്നെ ൭൭൯,൨൯൩ ഉണ്ട്. അവശക്രിസ്ത്യാനികളെ എല്ലാവരേയും ചേർത്തു ഒരു സമുദായമായി എണ്ണി പബ്ളിക്സർവീസിൽ ഉദ്യോഗങ്ങൾ കൊടുക്കണമെന്നുള്ളതാണു എൻെറ റസല്യൂഷൻെറ താല്പര്യം. ൧൯൩൧-ലെ സെൻസസ്സിൽ അവശക്രിസ്ത്യാനികൾ എത്രയുണ്ടെന്നു വ്യവസ്ഥ ചെയ്തിട്ടുള്ളതല്ലാതെ ഓരോ സഭകളിലും എത്രവീതമുണ്ടെന്നു കണക്കാക്കിട്ടില്ല. അതിനാൽ ഓരോ സഭകളിലുള്ള അവരുടെ സംഖ്യകണ്ടുപിടിക്കുന്നതിനു അ

ല്പം പ്രയാസമുണ്ടെന്നെനിക്കറിയാം. അവശതയനുഭവിക്കുന്നവരായ, മഹാരാജാവു തിരുമനസ്സിലെ പ്രജകളിൽ ഒരു വിഭാഗമായ അവശക്രിസ്ത്യാനികളുടെ ഉദ്യോഗദാനവിഷയത്തിൽ ഗവർമ്മെന്റ് അല്പം ശ്രമം എടുക്കേണ്ടതാണ്. ഏതു വിഷമഘട്ടങ്ങളേയും തരണം ചെയ്യുന്നതിനുള്ള സന്നദ്ധത ഗവർമ്മെന്റിന് ഉണ്ടായിരിക്കേണ്ടതാണ്. ആ സന്നദ്ധത ഇന്നത്തെ ഗവർമ്മെന്റ് കൂടുതലായി പ്രദർശിപ്പിക്കുന്നതിനു തയാറുള്ളതിൽ എനിക്കു അതിയായ ആശ്വാസം തോന്നുന്നുണ്ട്. ഇതൊരു വിഷമപ്രശ്നമാണെന്നു ഗവർമ്മെന്റു വിചാരിക്കുന്നുണ്ടെങ്കിൽ അവരുടെ സംഖ്യ കണ്ടുപിടിക്കുന്നതിനു ചില നിർദ്ദേശങ്ങൾ തരാം. ഒന്നാമതായി മതാദ്ധ്യക്ഷന്മാരായ ബിഷപ്പന്മാരോടും മെത്രാന്മാരോടും അവരവരുടെ സഭകളിൽ എത്രയെത്ര അവശക്രിസ്ത്യാനികൾ ഉണ്ടെന്നുള്ള വിവരം എഴുതിയറിയിക്കുന്നതിനു അവരോട് ഗവർമ്മെന്റിൽനിന്നും ആവശ്യപ്പെടണം. രണ്ടാമതായി സ്ഥിതിവിവരക്കണക്കു നോക്കിയാൽ അവശക്രിസ്ത്യാനികൾ എത്രയുണ്ടെന്നു കണ്ടുപിടിക്കാവുന്നതാണ്. മൂന്നാമതായി ഞാൻ തന്നെ ഒരു കണക്കു ഗവർമ്മെന്റിൽ സമർപ്പിക്കാം.

ഉയർന്ന ജാതി ഹിന്ദുക്കൾ തങ്ങളുടെ എളിയ സഹോദരങ്ങൾക്കു അവരുടെ അവകാശങ്ങൾ വീതിച്ചുകൊടുക്കുന്നതിൽ ഉത്സുകരായി കാണപ്പെടുമ്പോൾ സവർണ്ണക്രിസ്ത്യാനികൾ മേല്പറഞ്ഞ വിഷയത്തിൽ അവരുടെ എളിയ സഹോദരങ്ങളായ അവശക്രിസ്ത്യാനികളോടു നീതി പ്രദർശിപ്പിക്കുന്നതിൽ വിമുഖരായി കാണുന്നപക്ഷം അവശക്രിസ്ത്യാനികളുടെ നേർക്കുള്ള സവർണ്ണക്രിസ്ത്യാനികളുടെ മനോഭാവം എന്താണെന്നു ഗവർമ്മെന്റിന് അനുമാനിക്കാവുന്നതാണ്. മഹാരാജാവുതിരുമനസ്സിലെ എളിയ പ്രജകളായ അവശക്രിസ്ത്യാനികൾക്കു അവരുടെ സംഖ്യക്കൊത്തവണ്ണം ഉദ്യോഗദാനം ചെയ്യുന്ന വിഷയത്തിൽ ഗവർമ്മെന്റിന് ആരോടും പൂച്ചു ചോദിക്കേണ്ടതില്ല. കണ്ണുമടച്ചുകൊണ്ടു നീതി പ്രവർത്തിക്കണമെന്നേയുള്ളു. ക്ഷേത്രപ്രവേശനം എല്ലാ ഹിന്ദുക്കൾക്കും കൊടുക്കുന്ന വിഷയത്തിൽ യാഥാസ്ഥിതികന്മാരുടെ നിശിതമായ എതിർപ്പുണ്ടായിരുന്നു. എന്നാൽ ഗവർമ്മെന്റ് ക്ഷേത്രപ്രവേശനവിളംബരം ധൈര്യസമേതം പ്രഖ്യാപനം ചെയ്തു. യാഥാസ്ഥിതികന്മാർ വായും മൂടിക്കൊണ്ടു ഒരു മൂലയിൽ പോയി ഒതുങ്ങി. അനക്കമേ കാണാനില്ല. അതുപോലെ അവശക്രിസ്ത്യാനികളെ ഒരു സമുദായമായി എണ്ണി പബ്ലിക് സർവീസിൽ അവർക്ക് അവരുടെ സംഖ്യക്കൊത്തവണ്ണം ഉദ്യോഗങ്ങൾ നല്കണമെന്നു ഗവർമ്മെന്റ് ഉത്തരവിടുന്നപക്ഷം ആരും എതിരുനില്ക്കുന്നതല്ല. ഗവർമ്മെന്റിനു അതിനു ശക്തിയുണ്ട്. പ്രക്ഷോഭണത്തെയും നി

[Mr. N. John Joseph.]
വർത്തനത്തേയും ഭയപ്പെടേണ്ട ആവശ്യം ഈ കാര്യത്തിലില്ല. ഗവണ്മെൻറ് ഇപ്പോൾ ചെയ്തുവരുന്ന നയം ഒരു ദൃഷ്ടാന്തസഹിതം ഞാൻ വെളിപ്പെടുത്താം. അതായതു് ഒരു പിതാവിനു ഏഴു മക്കൾ ഉണ്ടെന്നിരിക്കട്ടെ. ആറുപേരും പ്രായപൂർത്തിവന്നവരാണ്. പിതാവിൻെറ സ്വത്തു ഏഴുപേർക്കും അവകാശപ്പെട്ടതുമാണ്. എന്നാൽ ആ പിതാവു പ്രായപൂർത്തിവന്ന ആറുപേർക്കും സ്വത്തു ഭാഗിച്ചു കൊടുക്കുകയും എല്ലാത്തിലും ഇളയകുട്ടിക്ക് യാതൊന്നും കൊടുക്കാതിരിക്കയും ചെയ്യുന്നതു ഏതുപ്രകാരമോ അപ്രകാരമാണ് ഗവണ്മെൻറ് ഇപ്പോൾ അവശക്രിസ്ത്യാനികളോടു പെരുമാറുന്നതു്. അവശക്രിസ്ത്യാനികളെ സവർണ്ണക്രിസ്ത്യാനികളോടു ചേർത്തിട്ടിരിക്കുന്നതുതന്നെ അബദ്ധമാണ്. അതു് എങ്ങനെയെന്നാൽ*വാരിത്തിന്നുന്നതിനു പ്രാപ്തിയും ആർത്തിയും ഉള്ള ആറു മൂത്ത മക്കൾക്കും വാരിത്തിന്നാൻ അറിഞ്ഞുകൂടാത്തതും മററുള്ളവരെക്കാൾ കൂടുതൽ വിശപ്പുള്ളതുമായ ഇളയകുഞ്ഞിനുംകൂടി ഒരു പാത്രത്തിൽ ഭക്ഷണം വിളമ്പിവച്ചുകൊടുക്കുന്നതുപോലെയാണ്. ആറുപേരും ആർത്തിയോടുകൂടി വാരിത്തിന്നുന്നതു കണ്ടു് അത്യാർത്തിപിടിച്ചു കരയുകമാത്രമാണ് ഇളയകുഞ്ഞു ചെയ്യുന്നതു്. കുഞ്ഞുങ്ങളോടു സ്നേഹമുള്ള 'ഒരു പിതാവും ഇങ്ങനെ ചെയ്യുന്നതല്ല. എന്നാൽ അവശക്രിസ്ത്യാനികളുടെ വിധി മേൽപറഞ്ഞ വിധത്തിലാണ് കലാശിച്ചിരിക്കുന്നതു്. സർ, ഈ ദുസ്ഥിതി കണ്ടുകൊണ്ടിരിക്കുന്നതിന് അവശക്രിസ്ത്യാനികൾക്കു സഹിഷ്ണുത പോരാ. ഗവണ്മെൻറു തന്നെ അവശക്രിസ്ത്യൻസമുദായത്തിൻെറ നേർക്ക് ഒരു താണ മനഃസ്ഥിതിയാണ് കൈക്കൊണ്ടിരിക്കുന്നതെന്നു പറയുന്നതിൽ എന്നോടു ക്ഷമിക്കണം. കാരണം സിറിയൻക്രിസ്ത്യാനികളേയും നാടാൻ ക്രിസ്ത്യാനികളേയും പട്ടാളത്തിൽ ചേർക്കുന്നതിനു ഗവണ്മെൻറ് ഉത്തരവായിട്ടുണ്ടു്. നല്ല കായബലമുള്ളവരും ദൃഢഗാത്രരും രാവും പകലും ഒരുപോലെ അദ്ധ്വാനിക്കുന്നതിനു കഴിവുള്ളവരുമായ അവശക്രിസ്ത്യാനികളെ പട്ടാളത്തിൽ എടുക്കുന്ന വിഷയത്തിൽ ഗവണ്മെൻറ് ഇതുവരെ ശ്രദ്ധ പതിച്ചിട്ടില്ല. അതുകൊണ്ടു് ഈ കുറവിനെ പരിഹരിക്കുന്നതിനു ഗവണ്മെൻറ് തയാറാകണമെന്നപേക്ഷിക്കുന്നു.

MR. K. KUNJU PANICKER : ഇപ്പോൾ ആലോചനാവിഷയമായിരിക്കുന്ന പ്രമേയത്തെ സംബന്ധിച്ചു് അനുകൂലിച്ചോ അതല്ലാ പ്രതികൂലിച്ചോ സംസാരിക്കുന്നതു്.?

MR. N. JOHN JOSEPH: ജനറലായിട്ടാണ്, ഇപ്പോൾ പറയുന്നതു്.

PRESIDENT : The point is that Mr. John Joseph has given notice of an amendment that in the matter of recruitment to public service the backward communities' claims namely the formation of a category should be considered. As that matter was also fundamental and as Mr. Kochukunju has put forward the claims relating to the Varnava community I have allowed the member to put forth his point of view. These are preliminary matters.

MR. N. JOHN JOSEPH : സർ, ൧൯൩൧-ലെ സെൻസസ്സിൽ ഓരോ സഭാവിഭാഗങ്ങളിലും എത്ര അവശക്രസ്ത്യാനികൾ ഉണ്ടെന്നു വ്യവസ്ഥ ചെയ്യാത്തതുകൊണ്ടാണ് അവശക്രസ്ത്യാനികളെ ഒരു വിഭാഗമാക്കുന്നതിനു പ്രയാസം നേരിട്ടിരിക്കുന്നതെന്നു ഗവണ്മെൻറു പറയുന്നു. ഞാനും അതു സമ്മതിക്കുന്നു. തൽപരിഹാരാത്ഥം ൧൯൪൧-ൽ എടുക്കുന്ന സെൻസസ്സിനു ഓരോ ക്രസ്തീയസഭകളിലും എത്ര അവശക്രസ്ത്യാനികളുണ്ടെന്നു പ്രത്യേകം കണക്കെടുക്കുന്നതിനു സെൻസസ്സ് കമ്മീഷണർ അവർകൾക്കു നിർദ്ദേശം കൊടുക്കണമെന്നു ഞാൻ ഗവണ്മെൻറിനോടപേക്ഷിക്കുന്നു.

PRESIDENT : Is the honourable member in a position to say with any definiteness how he could enable Government to come to know the computation of the group to which he refers this.

MR. N. JOHN JOSEPH : അവശക്രസ്ത്യാനികളുടെ സംഖ്യ കണ്ടുപിടിക്കുന്നതിനു മൂന്നു നിർദ്ദേശങ്ങൾ ഞാൻ സമർപ്പിച്ചിട്ടുണ്ട്.

ഗവണ്മെൻറിനുതന്നെ അവശക്രസ്ത്യാനികൾ എത്രയുണ്ടെന്നു കണ്ടുപിടിക്കാൻ കഴിയും. മൂന്നുലക്ഷത്തിൽപരം അവശക്രസ്ത്യാനികൾ പല സഭാവിഭാഗത്തിൽ ഉൾപ്പെട്ടു കിടക്കയാണ്.

MR. P S. MUHAMED: അതിൽ കുറേപ്പേർ മുസ്ലീം സമുദായത്തിലും കാണുകയില്ലേ?

MR. N. JOHN JOSEPH : ഉണ്ടായിരിക്കും.

സർ, ഈ സംസ്ഥാനത്തിൽ യഥാത്ഥരാഷ്ട്രീയഅഭിവൃദ്ധി ഉണ്ടായി എന്നു പറയണമെങ്കിൽ അതു് അവശലക്ഷങ്ങളുടെ രാഷ്ട്രീയ മോക്ഷത്തിലാണ് അന്തർലീനമായിരിക്കുന്നതു് ഇവിടത്തെ പ്രബലസമുദായങ്ങളുടേയും അവശസമുദായങ്ങളുടേയും സംസ്കാരവും രാഷ്ട്രീയതാല്പര്യങ്ങളും വെവ്വേറെയാണ്. ഇവിടത്തെ ക്രസ്ത്യാനികളുടെ ഇടയിലെ രാഷ്ട്രീയപാരമ്പര്യം പ്രബലസമുദായങ്ങൾ അവശസമുദായക്കാരെ ചൂഷണം ചെയ്യുന്ന വക്രനയത്തിൽ സ്ഥിരപ്രതിഷ്ഠമായിരിക്കയാണ്. സംശയദൃഷ്ടിയോടുകൂടിയല്ലാതെ അന്യോന്യം വീക്ഷിപ്പാൻ അവക്കു കഴിയുന്നില്ല.

[Mr. N. John Joseph.]

അതിനാൽ വിവിധസമുദായങ്ങൾ അനുബന്ധിച്ചുള്ള സമുദായവിഭജനം (രാഷ്ട്രീയകക്ഷിരൂപീകരണം) ഇവിടെ പ്രായോഗികമല്ല. പബ്ലിക് സർവീസിൽ അവശക്രിസ്ത്യാനികൾക്ക ന്യായമായി ലഭിക്കേണ്ട പ്രാതിനിധ്യാവകാശത്തിനു വ്യവസ്ഥ ചെയ്യാത്തതിനാൽ അവരുടെ അഭിവൃദ്ധിമാർഗ്ഗങ്ങൾ തടസ്സപ്പെട്ടിരിക്കുന്നു. ഉദ്യോഗദാനവിഷയത്തിൽ സവർണ്ണക്രിസ്ത്യാനികളോടു കൂടി അവശക്രിസ്ത്യാനികളെ ചേർത്തിട്ടിരിക്കുന്നതിനാൽ അവർ ഇന്നുപുറം തള്ളപ്പെട്ടിരിക്കയാണ്.

PRESIDENT : It is of course possible that special enquiries on that behalf might achieve the result. But on the materials before Government is there enough to make a kind of computation of those feelings within the category spoken to by the honourable member?

MR. N. JOHN JOSEPH : ജീവിതത്തെയും സ്വാധീനശക്തിയേയും സാരമായി സ്പർശിക്കുന്ന സംസ്കാരികമായും ഭരണപരമായും ഉള്ള കമ്മിററികളിലും ബോർഡുകളിലും അവശക്രിസ്ത്യാനികൾക്ക ഇന്നു പ്രവേശനം ലഭിക്കുന്നില്ലാത്തതിനാൽ അവരുടെ താല്പര്യങ്ങൾ നിരസിക്കപ്പെടുകയാണു ചെയ്യുന്നതു്. ഇതിനു ഗവമ്മെൻറിൽനിന്നു പരിഹാരം ഉണ്ടാക്കിത്തരേണ്ടതാണ്.

രാജഭക്തരും രാജ്യഭക്തരും സ്റ്റേററിൻെറ പൊതുതാല്പര്യത്തിനും, സാമ്പത്തികാഭിവൃദ്ധിക്കും വേണ്ടി രാപ്പകൽ അദ്ധ്വാനിക്കുന്നവരുമായ അവശക്രിസ്ത്യാനികൾ ഈ രാജ്യത്തു് അവക്കുള്ള സുസ്ഥിരമായ താല്പര്യങ്ങളെ പരിരക്ഷിക്കുന്നതിനുവേണ്ടി കാലാകാലങ്ങളിൽ ഭരണം നടത്തുന്ന മഹാരാജാക്കന്മാരുടെ കാരുണ്യത്തേയും ദിവാൻജിമാരുടെ നിഷ്പക്ഷമനോഭാവത്തേയും മാത്രം ആശ്രയിച്ചുപോരികയാണ്.

MR. T. T. KESAVAN SASTRI . അവശസമുദായക്രിസ്ത്യാനികളെ പ്രത്യേകം തിരിക്കുന്നതിൽ ക്രിസ്ത്യാനിമിഷനറിമാരുടെ അഭിപ്രായം എന്തായിരിക്കുമെന്നറിയാമോ?

MR. N. JOHN JOSEPH: ക്രിസ്ത്യാനിമിഷനറിമാരുടെ അഭിപ്രായമനുസരിച്ചല്ലാ മഹാരാജവ്തിരുമനസ്സിലെ പ്രജകൾക്ക സൌജന്യം ചെയ്യേണ്ടതു്. അവരുടെ തെററായ അഭിപ്രായങ്ങളെ തിരുത്താൻ ഗവമ്മെൻറുണ്ട്.

അവക്ക പ്രക്ഷോഭണമില്ല—നിവത്തനമില്ല. എന്തെന്നും ഏതെന്നും ചോദിക്കാതുള്ള അനുസരണവും രാജഭക്തിയുമാണ് അവർ മുറുകെ പിടിക്കുന്നതു്. സവർണ്ണക്രിസ്ത്യാനികൾ അവശക്രിസ്ത്യാനികളുടെ രാഷ്ട്രീയഅസമത്വം പരിഹരിപ്പാനുള്ള ശ്രമങ്ങളെ അവഹേളനത്തോടുകൂടിയാണവീക്ഷിക്കുന്നതു. ഈ പരിതഃസ്ഥിതിയിൽ ചില പ്രത്യേകവ്യവസ്ഥകളിന്മേൽ സംഖ്യാനുപാതികമായി ഉദ്യോഗപ്രാതിനിധ്യം അവശക്രിസ്ത്യാനിക

ളുടെ രക്ഷാമാർഗ്ഗമായിട്ടാണു ഞങ്ങൾ വീക്ഷിക്കുന്നതു്. അവശക്രിസ്ത്യാനികളുടെ മതം, ഭാഷ, ആചാരം, സംസ്കാരം എന്നിതാല്പര്യങ്ങൾക്കു വിരുദ്ധമായി ഉദ്യോഗദാനവ്യവസ്ഥ സൃഷ്ടിക്കാതിരിക്കണമെന്നും അതിനു ഗവണ്മെൻറു് പ്രത്യേകം ദൃഷ്ടിപതിപ്പിക്കണമെന്നും ഞാൻ അപേക്ഷിക്കുന്നു. പബ്ളിക് സർവീസ് കമ്മീഷണരുടെ നിയമപരിധിക്കുള്ളിലും വെളിയിലും അവശക്രിസ്ത്യാനികളുടെ രക്ഷക്കുവേണ്ടി അവരെ പ്രത്യേകമായി വേർതിരിച്ചു ഖണ്ഡിതമായി വ്യവസ്ഥയുണ്ടാക്കണമെന്നപേക്ഷിച്ചുകൊണ്ടു ഞാൻ വിരമിക്കുന്നു.

MR. PADIYARA JOSEPH KUNJU; സർ, അനുദ്യോഗസ്ഥമെമ്പറന്മാരെല്ലാംകൂടി ഒരു കമ്മിററി കൂടി ഈ പ്രശ്നത്തെപ്പററി ആലോചിക്കുന്നതിനായി അനുവദിക്കണമെന്നു ഞാൻ ഒരു പ്രമേയം കൊണ്ടുവരികയുണ്ടായി. അതിനെസംബന്ധിച്ചു യാതൊരു തീരുമാനവും ചെയ്തില്ല. ആ പ്രമേയത്തെ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. KAINIKKARA M. PADMANABHA PILLAI : I second it.

PRESIDENT : I take it that the proposition is to the effect that the non-official members of the House should go into a Committee immediately for the purpose of discussing this matter. I also take it that they do not want the discussions to be opened to the Press.

MR. KAINIKKARA M. PADMANABHA PILLAI : Yes, Sir.

PRESIDENT : The House will now go into a Committee and the official members will withdraw from the Committee as also the Press.

The motion was put to vote and carried.

PRESIDENT : Visitors will also kindly withdraw.

The House will meet at 11 O' clock tomorrow and then I will make an announcement as to the further progress of the business.

The House adjourned at 3-10 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT.*)

SECOND ASSEMBLY.

SIXTH SESSION.

Friday the 26th January, 1940/13th Makaram, 1115.

The Assembly met in the Legislative Chamber at 11 A. M. with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL.D., Dewan-President, in the chair.

OATH OF OFFICE.

The following members took the oath and signed the Rolls:—

Mr. C. Kumara Das (*Director of Industries*).

Mr. P. G. Narayanan Unnithan (*Excise Commissioner*).

QUESTIONS AND ANSWERS.

Coir mats and mattings exported to South African Ports.

133. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapalli*: cum *Kartigapalli*): Will the Government be pleased to state the quantity and cost of coir mats and mattings exported to South African Ports from 1934 to 1939?

MR. P. G. NARAYANAN UNNITHAN (*Excise Commissioner*): A *statement containing the information is appended.

Purchase of tyres for the Transport buses.

134. *MR. KANNANTHODATH JANARDANAN NAIR Will the Government be pleased to state:

(*a*) whether tyres are purchased for the use of the State Transport buses;

(*b*) the rate per mile for every tyre if they are purchased on a hire purchase system; and

(*c*) whether tenders were invited for the same at any time?

MR. K. SANKARAN (*Ag. Secretary to Government*): (*a*) Tyres are supplied by a firm of contractors, *viz.*, Messrs. Ardeshir & Co., Madras, on a mileage basis and under a special contract.

(*b*) Does not arise in view of the answer to part (*a*).

(*c*) Enquiries were made of all companies dealing in tyres in India.

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*Vide Appendix I, page 338.

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Chemmayam Ferry in Valluvalli.

135. *MR. A. K. KUMARAN VAIDYAN (*Kunnatnad* cum *Parur*): Will the Government be pleased to state whether they have received any representations regarding the necessity of placing lights at both ends of the Chemmayam ferry in Valluvalli, Parur taluk, and if so, what action they have taken?

MR. M. S. DORASWAMI AIYANGAR (*Chief Engineer*): No.

Waiting room at the Chettibhagom boat jetty.

136. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they have enquired into the necessity of constructing a waiting room at the Chettibhagom boat jetty in Parur taluk?

MR. M. S. DORASWAMI AIYANGAR: Yes.

MR. A. K. KUMARAN VAIDYAN: ചെട്ടിഭാഗം ബോട്ട്ജെട്ടിയിൽ ഒരു വെയിററിംഗ്റൂം കെട്ടിത്തരണമെന്നു അവിടെയുള്ള പലരും ചേർന്ന് അപേക്ഷിച്ചിരുന്നു. അത് ഇതുവരെ അനുവദിച്ചുകിട്ടിയിട്ടില്ല. യാത്രക്കാരായ ധാരാളംപേർ അവിടെ കൂടുന്നുണ്ട്. അവർക്കു ഇരിക്കാൻ യാതൊരു സൗകര്യവുമില്ല.

MR. M. S. DORASWAMI AIYANGAR: There is already a waiting shed constructed by an interested company and the shed there is able to meet all the traffic requirements. Therefore, the construction of a shed by Government is not called for.

Road from Kottuvalli to the Varapuzha-Parur road.

137. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they have received representations regarding the necessity of constructing an approach road from Kottuvalli to the Varapuzha-Parur road in Parur taluk and, if so, what action they have taken?

MR. M. S. DORASWAMI AIYANGAR: Yes. The matter is under investigation.

Quarters for the peons at the Ennathod out-post.

138. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they have enquired into the necessity of making residential arrangements for the peons at the Ennathod out-post of the Kodavakad Chowkey in Parur taluk?

MR. P. G. NARAYANAN UNNITHAN: No.

MR. A. K. KUMARAN VAIDIYAN: എണ്ണത്തോട് ചൗക്കയിലുള്ള പ്യൂൺസിനു ഭക്ഷണസാധനങ്ങൾ പാചകം ചെയ്യുന്നതിനുള്ള സൗകര്യം ചെയ്തുകൊടുക്കുമോ?

MR. P. G. NARAYANAN UNNITHAN: രണ്ടുമൂന്നു തോടുകൾ ഒന്നിച്ചുചേരുന്ന സ്ഥലത്ത് വെള്ളത്തിന്റെ നടുവിലാണ് ചൗക്ക സ്ഥിതിചെയ്യുന്നതു. അതുകൊണ്ടു അവിടെ അങ്ങനെ ചെയ്യുന്നതിനു തീരെ സൗകര്യമില്ല. മററു സ്ഥലത്തുള്ള പ്യൂൺസ് താമസിച്ചു വരുന്നതുപോലെ ഇവിടെയുള്ളവരും താമസിക്കാവുന്നതാണ്.

Improving the Thirumuppam Valiakulam.

139. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they have enquired into the necessity of improving the Thirumuppam Valiakulam in Varapuzha pakuthi in Parur taluk so as to make it fit for public use?

MR. M. S. DORASWAMI AIYANGAR: Yes.

Eloor and Alwaye road.

140. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state what steps, if any, they have taken to metal the road between Eloor and Alwaye in Parur taluk?

MR. M. S. DORASWAMI AIYANGAR: No steps have been taken.

Improvement of the Edappilli, Thevankulangara-Cheranalloor road.

141. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they enquired into the necessity of improving the Edappilli, Thevankulangara-Cheranalloor road in Parur taluk?

MR. M. S. DORASWAMI AIYANGAR: Yes.

Road from Munambam Excise Station to Cranganoor.

142. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state what steps, if any, they have taken for constructing a cartable road from Munambam Excise Station to Cranganoor?

MR. M. S DORASWAMI AIYANGAR: No such steps have been taken.

Road from Kodanad to Ockal via Thottuva.

143. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(*a*) whether they have received any application for constructing a road from Kodanad to Ockal *via* Thottuva in Kunnatnad taluk; and

(*b*) if so, when?

MR. M. S. DORASWAMI AIYANGAR: (*a*) No.

(*b*) In view of the answer to (a) this does not arise.

Ryots' road from the 8th mile of the W. F. road to the 8th mile of the Puthencruz road.

144. *MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*): Will the Government be pleased to state:

(*a*) whether any application has been received by them or by the Chief Engineer, stating that a ryots' road from the 8th mile of the W. F. road to the 8th mile of the Puthencruz road has been completed and praying that it should be taken over and maintained by the Government; and

(*b*) if so, the action taken thereon till now and at what stage the matter stands at present?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) An estimate for the work has been prepared but the same has not been sanctioned and taken up for want of funds.

Statement, by caste, of the Assistant Excise Commissioners.

145. *MR. THARIATHU KUNJITHOMMEN (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the Assistant Excise Commissioners now in service?

MR. P. G. NARAYANAN UNNITHAN:

A * statement is laid on the table.

Statement, by caste, of the clerks in the Education Department.

146. *MR. THARIATHU KUNJITHOMMEN: Will the Government be pleased to lay on the table a statement, by caste, of the number of clerks in service in the Education Department who were appointed as per the selection of the Public Service Commissioner and otherwise during the last two years ending with the 1st Dhanu 1115?

MR. A. GOPALA MENON (*Director of Public Instruction*):

The † statement is placed on the table.

Statement, by caste, of graduate teachers in the Education Department.

147. *MR. THARIATHU KUNJITHOMMEN: Will the Government be pleased to lay on the table a statement, by caste, of the graduate teachers in the Education Department?

MR. A. GOPALA MENON:

Brahmins	141
Nayars	74
Other Hindus	21
Kammala	1
Nadar	1
Ezhava	11
Muslim	6
Jacobite	26
Marthomite	27
Syriac Catholic	1
Latin Catholic	6
S. I. U. C.	21
Other Christian	32
Total	368

MR. THARIATHU KUNJITHOMMEN: ൩൬൮ ഗ്രാഡ്വേററ് ടീച്ചേർസ് എഡ്യൂക്കേഷൻഡിപ്പാർട്ടുമെൻററിൽ ഉണ്ടെന്നു കാണുന്നു. സിറിയൻ കത്തോലിക്കനായി ഒരാളെ മാത്രമേ കാണുന്നുള്ളു. അവരിൽനിന്നും കൂടുതൽ ആളുകളെ നിയമിക്കാത്തതു അപേക്ഷകന്മാരില്ലാത്തതുകൊണ്ടാണോ?

MR. A. GOPALA MENON: വളരെക്കാലമായി നടന്നിട്ടുള്ള നിയമനങ്ങളുടെ ഫലമായിട്ടാണ് ഇപ്പോൾ ഇങ്ങനെ കാണുന്നതു്.

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* *Vide* Appendix II, page 339.

† *Vide* Appendix III, page 339.

MR. THARIATHU KUNJITHOMMEN : വളരെക്കാലം എന്നു പറയുന്നതിൽ രണ്ടുമൂന്നുവർഷത്തിനുമുമ്പുള്ള സംഗതിയും ഉൾപ്പെടുമല്ലോ. ഡിപ്പാർട്ടുമെൻറ് അദ്ധ്യക്ഷൻ ഈ സ്ഥാനത്തുവന്നതിനുശേഷം പ്രാതിനിദ്ധ്യമില്ലാത്ത ഈ സമുദായത്തിലുള്ള നാലഞ്ചുപേരെയെങ്കിലും നിയമിക്കണമെന്ന് പ്രത്യേകം ശുപാർശ ചെയ്തിട്ടുണ്ടോ?

MR. A. GOPALA MENON : ഞാൻ ശുപാർശ ചെയ്കയും ഗവർമ്മെൻറു അതിനെ സ്വീകരിച്ച് ഒരാളെ നിയമിക്കുകയും ചെയ്തിട്ടുണ്ട്.

MR. THARIATHU KUNJITHOMMEN : ഒരൊററ ആളെ നിയമിക്കുന്നതുകൊണ്ട് ഒരു ജനവിഭാഗത്തിൻെറ ന്യായമായ അവകാശങ്ങൾ സ്ഥാപിക്കപ്പെടുമോ?

MR. A. GOPALA MENON : തീരെ തൃപ്തിപ്പെട്ടിരിക്കുകയില്ല.

MR. THARIATHU KUNJITHOMMEN : അടുത്തുണ്ടാകുന്ന ഒഴിവുകളിൽ എങ്കിലും ഈ സമുദായത്തിൻെറ ന്യായമായ അവകാശം അനുസരിച്ച് പ്രവർത്തിക്കാമോ?

MR. A. GOPALA MENON : നിശ്ചയമായും ആ സംഗതിയെപ്പററി ആലോചിക്കുന്നതാണ്.

MR. A. K. KUMARAN VAIDYAN : ഇതിൽ ഈഴവരുടെ സംഖ്യ ൨൨ എന്നു കാണുന്നു. അവരുടെ സംഖ്യ ഇത്രമാത്രം കുറഞ്ഞതു് അവരിൽ നിന്നും അപേക്ഷകന്മാരില്ലാത്തതുകൊണ്ടാണോ?

MR. A. GOPALA MENON : അപേക്ഷകന്മാരിൽ യോഗ്യതയുള്ളവരെ സമുദായപ്രാതിനിദ്ധ്യം അനുസരിച്ചു നിയമിച്ചുതുടങ്ങീട്ട് മൂന്നുകൊല്ലമേ ആയിട്ടുള്ളു എന്ന് മെമ്പർക്ക് അറിയാമല്ലോ?

Statement, by caste, of officers in the Co-operative Department.

148. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the officers in the Co-operative Department holding appointments carrying a pay of above Rs. 50?

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner and Registrar of Co-operative Societies*): * A statement is laid on the table.

Statement, by caste, of the clerks in the High Court.

149. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the clerks in the High Court?

MR. PUTHUPALLY S. KRISHNA PILLAI (*Leagal Remembrancer to Government*): ‡ The Statement is laid on the table.

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* *Vide* Appendix IV, page 430.

‡ *Vide* Appendix V, page 340.

Appointment of Sub-Registrars.

150. *MR. MURUKUMPUZHA V. KUNJUKRISHNAN (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to state:

(*a*) the minimum qualification fixed for appointment as Sub-Registrar;

(*b*) whether persons without the minimum qualification have been appointed as Sub-Registrars within the last 10 years;

(*c*) if the answer to part (*b*) is in the affirmative, who are the persons so appointed, what are their qualifications and what is the total service put in by them on the date of their appointment as Sub-Registrars; and

(*d*) whether any ratio has been fixed in the matter of appointments as Sub-Registrars from among graduates and undergraduates?

MR. K. SANKARAN: (*a*) (i) For direct recruitment, B. A. (First Class) or B. A. and B. L.

(ii) Persons who hold E. S. L. C. pass certificates, have passed the Departmental Test, and have put in 15 yeas service and are efficient.

(*b*) Yes.

(*c*) *A statement containing the information is placed on the table.

(*d*) Yes, 3 : 1 between graduates and non-graduates.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: Sir, with reference to answer to part (*c*) I find that in the list furnished, it is stated that the qualification of the candidate No. 11 in the list is not known. May I know the reason why the qualification of that person is not available?

MR. K. SANKARAN: That particular candidate had about 28 years of service in the department and he was promoted in virute of his long service and efficiency. He has no particular academic qualifications.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: Sir, am I to understand that he has no qualification?

MR. K. SANKARAN: I said he has no particular academic qualifications.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: With reference to answer to part (*d*), in the matter of promotion, I find from the latest civil list that among the acting Sub-Registrars there are six undergraduates appointed almost simultaneously. May I know why the ratio is not maintained there?

MR. K. SANKARAN: The ratio is maintained as far as possible subject to the condition that in the case of certain candidates exemptions are given by Government.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: May I know the considerations that weighed with Government in the case of those candidates for whom exemptions have been granted?

MR. K. SANKARAN: Efficiency, hard work, long service, all these things weigh with Government.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: If that be the consideration that weighed with Government, in the matter of exempting those candidates from other qualifications prescribed, may I know why at least in fairness to the graduates employed in that department the ratio fixed in the matter of promotion was not adhered to?

MR. K. SANKARAN: I have already stated that as far as possible the ratio will be adhered to. Exemptions wil only be rare.

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*Vide Appendix VI, page 341.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: May I know whether Government are aware that by promoting all these six undergraduates simultaneously some of the graduates belonging to the unrepresented communities have been affected?

MR. K. SANKARAN: By giving certain preference to some, the graduate proportion will be certainly affected to some extent.

MR. MUKUKUMPUZHA V. KUNJUKRISHNAN: May I know whether by this arrangement graduates from unrepresented communities who were already acting as Sub-Registrars have not been reverted?

MR. K. SANKARAN: Their claims will be considered in due course.

Varnavas in the Electrical Department.

151. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): Will the Government be pleased to state the number of clerks belonging to Varnava Community in the Electrical Department?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*): Three.

Road from Kumarapuram junction to Anayara.

152. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether any representation has been received regarding the construction of a road leading from Kumarapuram (കുമാരപുരം) junction adjoining the Amayattu *thodu* and joining the Anayara (ആനയറ) road; and

(*b*) if the answer to part (*a*) is in the affirmative, what action has been taken in the matter?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) As the cost for the construction of the road was found to be prohibitive, Government have ordered this work to lie over for the present.

Road from Thattarambalam to the Mavelikara-Tiruvalla road.

153. ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) how long it is since a portion of the road beginning from Thattarambalam and meeting the Mavelikara—Tiruvalla road, *via* Valiya Karimpuzha ferry, has been gravelled;

(*b*) the distance kept incomplete; and

(*c*) what is the delay in completing this road due to?

MR. M. S. DORASWAMI AIYANGAR: (*a*) 3 years.

(*b*) $1\frac{3}{4}$ miles.

(*c*) Want of funds.

Haripad-Elanjimel road.

154. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) the length of the Haripad-Elanjimel road;

(*b*) whether any portion of this road has been gravelled;

(*c*) if so, the distance gravelled; and

(*d*) the reason for leaving a portion of the road still ungravelled?

MR. M. S. DORASWAMI AIYANGAR: (*a*) $8\frac{1}{2}$ miles.

(*b*) Yes.

(*c*) 5 miles.

(*d*) For want of funds.

MR. G. VELU PILLAI (*Karunagapally* cum *Kartigapally*): May I know with reference to part (c), when the road was metalled?

MR. M. S. DORASWAMI AIYANGAR: 5 miles of it were gravelled some time ago. I don't remember the exact year of gravelling.

MR. G. VELU PILLAI: May I know whether any estimate has been prepared for gravelling the remaining portion?

MR. M. S. DORASWAMI AIYANGAR: No estimate has been prepared.

Labourers employed in the Clay Refining and Porcelain Factory at Kundara.

155. * **MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(a) the average number of labourers employed in each of the months in the year 1114, in the Clay Refining and Porcelain Factory at Kundara; and

(b) the total wages paid each month?

MR. C. KUMARA DAS (*Director of Industries*): (a) & (b) A *statement furnishing the information is appended.

Burial ground in the Ramanangalam pakuthi, Muvattupuzha taluk, for Backward communities.

156. ***MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state:

(a) whether applications have been received by the authorities for a burial ground in the Ramamangalam pakuthi, Muvattupuzha taluk, for the use of members of backward communities; and

(b) if so, the action taken on those applications?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor, University of Travancore*): (a) Yes.

(b) Steps are in progress for the acquisition of a suitable site already selected.

Public hall and a burial ground for the use of the Pulayas.

157. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(a) whether the people of the Pathanamtitta taluk have applied for the grant of a public hall and a burial ground for the use of the Pulayas in the Mallappuzhasseri pakuthi, Pathanamthitta taluk; and

(b) if so, the action taken in respect of those applications?

MR. C. V. CHANDRASEKHARAN: (a) Yes.

(b) The matter was enquired into and it was found that there was no necessity to provide for a common building in the Mallapuzhassery pakuthy.

Steps are, however, being taken to provide a burial ground at the place.

MR. T. T. KESAVAN SASTRI: അവിടെ ഒരു പൊതുസ്ഥാപനത്തിന്റെ ആവശ്യം കാണുന്നില്ലെന്ന് മറുപടിയിൽ പറഞ്ഞുകാണുന്നു. അങ്ങിനെ പറയുന്നതിന് പ്രത്യേകകാരണം വല്ലതുമുണ്ടോ?

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* *Vide* Appendix VII, page 342.

MR. C. V. CHANDRASEKHARAN: There is a common building at Pullad and another at Edayaranmula and that is why it is found unnecessary to provide another building in the Mallapuzhasseri pakuthy.

MR. T. T. KESAVAN SASTRI: ഇടയാറന്മുള പോകന്നതിന് അവിടെ നിന്നം മൂന്നരമൈൽ ദൂരമുണ്ട്. പുല്ലാട്ട് എന്നസ്ഥലത്തു് മഴക്കാലത്തു് പോകാൻ വളരെ അസൗകര്യമാണ്. അതുകൊണ്ട് ഈ സ്ഥലങ്ങളം അവിടെയുള്ളവക്ക് പ്രയോജനപ്പെടുകയില്ലെന്നറിയാമോ?

MR. C. V. CHANDRASEKHARAN: Yes: there may be difficulties, but it may not be possible to provide a common building for the Pulayas in every pakuthy.

Grants-in-aid to the Special Schools conducted by the Pulayas.

158. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(*a*) whether applications have been received for the special grants-in-aid sanctioned by the Government being given to the special schools which are being efficiently conducted by the Pulayas at Kompadi, Puramattom, Poovathinakuzhi, Edayaranmula, Elavanthitta and Kaviyoor in the Tiruvalla taluk; and

(*b*) if so, the action taken by the Department in respect of those applications?

MR. A. GOPALA MENON: (*a*) Applications for grant-in-aid have been received in respect of the schools at Kompadi, Poovathinakuzhi, Edayaranmula, Elavanthitta and Kaviyoor. No application was received regarding the Puramattam School.

(*b*) Of the above five schools those at Kompadi and Poovathinakuzhi were found to be not needed in the locality and the applicants have been informed accordingly. There are disputes about the managements of the schools at Kaviyoor and Edayaranmula which are being enquired into. As regards the application for grant to the Elavanthitta school, the report on it from the Division Inspector is awaited.

Part-time system of the Law College.

159. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) when the part-time system of the Law College was abolished •

(*b*) a comparative statement of the receipts and expenditure of the College for the past 8 years; and

(*c*) the number of students in each class for the past eight years?

MR. C. V. CHANDRASEKHARAN: (*a*) Since the academic year 1931-32.

(*b*)

	Receipts.	*Expenditure.*
1107	60,602	39,853
1108	77,055	43,455
1109	78,395	40,344
1110	54,346	38,750
1111	32,472	31,714
1112	37,187	35,589
1113	32,635	30,939
1114	23,179	31,468

(c)	B. L. Class.	F. L. Class.
1931-32	216	108
1932-33	230	176
1933-34	304	177
1934-35	270	154
1935-36	53	149
1936-37	79	139
1937-38	119	141
1938-39	80	71

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether in view of the loss incurred, the part-time system could not be again put into effect?

MR. C. V. CHANDRASEKHARAN: The Senate of the Travancore University considered this matter and, they came to the deliberate conclusion that any change in the direction indicated by the honourable member will lead to the deterioration of standards.

Satrom at Munnar.

160. ***MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to state:

(a) whether they propose to construct a satrom at Munnar for the convenience of those who go there on any business; and

(b) whether there is any building at Munnar other than a T. B. with 2 rooms for the residence of persons who go there from other places?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) No.

MR. K. P. KOCHUKORA THARAKAN: മൂന്നാററിൽ ഒരു സത്രം കെട്ടുന്നതിനെപ്പററി വല്ല നടപടിയും നടത്തിയിട്ടുണ്ടോ?

MR. M. S. DORASWAMI AIYANGAR: An estimate for a Satrom has been sanctioned for Rs. 10,590 in 1937.

MR. K. P. KOCHUKORA THARAKAN: അതിനാവശ്യമുള്ള സ്ഥലം എടുത്തിട്ടുണ്ടോ?

MR. M. S. DORASWAMI AIYANGAR: The site has already been selected but the work has not been taken up for want of funds.

Secretariat Officers and staff.

161. ***MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to lay on the table a statement showing the following particulars in respect of the Secretaries, Assistant Secretaries, Superintendents, clerks and peons now in the Secretariat:—

(a) the name and examination qualification of each;
(b) the respective communities to which they belong;
(c) the respective taluks to which they belong;

(*d*) whether they are relations, sons or daughters, nephews or nieces, sons-in-law or daughters-in-law of those who are now holding any appointments in Travancore or those who are living or dead after retiring from the service or of the brothers or sisters of such people and if so related, the nature of the relationship ; and

(*e*) the date on which each of them entered service, the starting pay given to each of them, and pay received by each of them during Karkatakam 1114 ?

MR. M. K. NILAKANTA AIYAR: The time and labour involved in collecting these details would not be commensurate with their possible utility.

MR. K. P. KOCHUKORA THARAKAN: ഏതെങ്കിലും വിവരം അറിയുന്നതിനായി ഗവമ്മെൻറിനോടു ചോദ്യം ചോദിച്ചാൽ "The time and labour involved in preparing an answer to the question will not be commensurate with its possible utility" എന്ന സമാധാനം പലപ്പോഴും പറഞ്ഞുകാണുന്നുണ്ടു്. ഇങ്ങനെയുള്ള ചോദ്യങ്ങളുടെ മറുപടി പുറത്തു വന്നാൽ പലവിധത്തിലുള്ള സംശയങ്ങളും ദൂരീകരിക്കാൻ ഇടയുള്ളതുകൊണ്ടാണു് ചോദിക്കുന്നതു്.

MR. M. K. NILAKANTA AIYAR: മെമ്പറിന്റെ അനുമാനം തീരെ ശരിയല്ല. ഇന്നുവരെ ൫൭൮ ചോദ്യങ്ങൾക്കു് മറുപടി പറഞ്ഞിട്ടുണ്ടു്. അതിൽ ഈ ചോദ്യത്തിനു മാത്രമേ ഇങ്ങനെ ഒരു മറുപടി കൊടുത്തിട്ടുള്ളു.

MR. K. P. KOCHUKORA THARAKAN: പ്രധാനപ്പെട്ട ഇങ്ങിനെയുള്ള ചോദ്യങ്ങൾക്കു് ഈ വിധത്തിൽ മറുപടി പറയുന്നതു് ശരിയാണോ?

MR. M. K. NILAKANTA AIYAR: മറുപടി പറയാൻ സാദ്ധ്യമുള്ളതിനു് മറുപടി പറയുന്നുണ്ടു്. സാദ്ധ്യമല്ലാത്തതിനു് നിവൃത്തിയില്ല.

MR. PADIYARA JOSEPH KUNJU: ൫൭൮ ചോദ്യങ്ങൾക്കു് ഇന്നു് മറുപടി പറഞ്ഞിട്ടില്ലെന്നറിയാമോ?

MR. M. K. NILAKANTA AIYAR: ഇന്നുവരെ എന്നാണു് പറഞ്ഞിട്ടുള്ളതു്.

Charge sheets filed by the Police before the Magistracy.

162. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether during the last Budget Session of the Sri Mulam Assembly, the Inspector-General of Police on behalf of the Government has undertaken to effect a change in the prescribed form of the charge sheets filed by the Police before the Magistracy, especially with regard to the facts sought to be proved through each of the witnesses mentioned in the charge sheet ; and

(b) the steps taken in the matter?

MR. M. K. NILAKANTA AIYAR: (a) No.

(b) The question of revising the form of charge sheets so as to include the purpose for which the witnesses are cited is being considered by Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether during the last budget session of the Sri Mulam Assembly a cut motion has been carried with overwhelming majority seeking to effect a change in the charge sheet filed by the Police before the Magistracy?

MR. M. K. NILAKANTA AIYAR: Yes.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether any report has been submitted by the Inspector-General of Police to Government in this matter?

MR. M. K. NILAKANTA AIYAR: The Inspector-General has. Government have not got information on all the points on which information has been called for. They are considering the report.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason for delay in coming to any definite conclusion with regard to the proposal?

MR. M. K. NILAKANTA AIYAR: The main question is, whether Section 155 has to be amended or not; there are a few legal points which deserve consideration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether, without amending the present section of the Criminal Procedure Code, this was the form in which charge sheet was presented some time ago?

MR. M. K. NILAKANTA AIYAR: Yes, for some time.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether any change was effected in the Criminal Procedure Code at that time?

MR. M. K. NILAKANTA AIYAR: No.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then, may I know from the Government what their difficulty was to bring into force the practice sought to be established in the matter of effecting a change in the form of the charge sheet in accordance with the cut motion.

MR. M. K. NILAKANTA AIYAR: When the question has been raised and some conclusion has to be arrived at all the implications have to be considered.

Construction of the Kollakadavu Bridge.

163. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI:** Will the Government be pleased to state:

(a) the steps hitherto taken for the construction of the Kollakadavu bridge on the Chengannur-Mavelikara road;

(b) whether the Government or the Chief Engineer have received representations praying for the early construction of the bridge; and

(c) the nature of the bridge proposed to be constructed here?

MR. M. S. DORASWAMI AIYANGAR : (a) A design of the bridge was first prepared but further progress could not be made for want of funds. A fresh cheaper design is proposed by the Director of Development. The details of this design are being worked out in consultation with the Director of Development.

(b) Yes.

(c) Ascu treated timber arch bridge of single span with 14′ roadway width.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know the amount required as per the cheaper design for the construction of this bridge ?

MR. M. S. DORASWAMI AIYANGAR : The estimate has not yet been prepared. The design is under consideration. But, approximately, Rs. 15,000 will be required ?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : According to the prior estimate which they have prepared for the construction of the very same bridge, may I know the amount required ?

MR. M. S. DORASWAMI AIYANGAR : Only a design was prepared ; no estimate.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know whether an estimate was prepared some time back for the construction of this bridge without the help of the Director of Development ?

MR. M. S. DORASWAMI AIYANGAR : That was the exact point for which the answer was given.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know the exact estimate required for the construction of the bridge in accordance with the design ?

MR. M. S. DORASWAMI AIYANGAR : We had not made the investigation complete, and the estimate has not been prepared.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know with reference to part (b) of the answer, the date of the report submitted to Government ?

MR. M. S. DORASWAMI AIYANGAR : I am not posted with the exact date of the representation made. But a number of representations has been made in the previous years.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know the date of at least the earliest ?

MR. M. S. DORASWAMI AIYANGAR : I claim notice.

Construction of a bridge at Nalkalikkal.

164. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** : Will the Government be pleased to state :

(a) whether sanction has already been accorded for the construction of a bridge at Nalkalikkal, on the Pandalam-Aranmula road, between the villages of Aranmula and Kidangannur ; and

(b) the steps hitherto taken for the construction of the bridge ?

MR. M. S. DORASWAMI AIYANGAR : (a) Yes.

(b) Nil.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know when sanction was accorded for the construction of the bridge ?

MR. M. S. DORASWAMI AIYANGAR : On 20-6-36.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason why no steps have been taken subsequently with regard to the construction of this bridge?

MR. M. S. DORASWAMI AIYANGAR: Want of funds.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government the amount required for the construction?

MR. M. S. DORASWAMI AIYANGAR: Rs. 15,000.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the distance from Pandalam to Aranmula *via* Chengannur?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government the distance that has to be covered by going from Pandalam to Aranmula direct after the completion of the construction of the bridge?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government whether the Chief Engineer has made any local inspection with regard to the urgency of the construction of this bridge?

MR. M. S. DORASWAMI AIYANGAR: I have not been so far able to make any inspection.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether he will kindly make a personal inspection of the site on which the bridge is sought to be constructed?

MR. M. S. DORASWAMI AIYANGAR: I shall take the earliest opportunity to do so.

Board of Conciliation appointed under the Trade Disputes Act.

165. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state whether the Board of Conciliation appointed by the Government under the Trade Disputes Act to inquire into the wage disputes in the coir factories, Alleppey, had submitted any report to the Government?

MR. C. KUMARA DAS: Yes.

MR. K. NARAYANAPERUMAL NADAR: May I know the date of appointment of the Board of Conciliation?

MR. C. KUMARA DAS: In the answer to question 168 the answer to this is given.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the report has been published?

MR. C. KUMARA DAS: It has been printed, but not released to the public, since it is in a confidential stage.

MR. K. NARAYANAPERUMAL NADAR: May I know who were among the members of the Board?

MR. C. KUMARA DAS: Mr. K. George, (President), Mr. N. G. Hayden, Mr. N. Sankara Mannar, Mr. P. N. Krishna Pillai and Mr. V. K. Achuthan.

MR. K. NARAYANAPERUMAL NADAR: May I know the conclusion reached by the Board?

MR. C. KUMARA DAS: The conclusions are in a confidential stage at present.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any action was taken on them by Government?

MR. C. KUMARA DAS: They are under the consideration of Government.

MR. K. NARAYANAPERUMAL NADAR: May I know how much money was spent on account of the Board?

MR. C. KUMARA DAS: I claim notice.

MR. P. S. MAHOMED: (*Quilon* cum *Kottarakara*): ചെറിയ ഫാക്ടറികളുടെ പ്രാതിനിധ്യം ഈ കമ്മററിക്ക് ഉണ്ടായിരുന്നോ?

MR. C. KUMARA DAS: I have given already the names of the members of the Board.

MR. P. S. MAHOMED: അവരുടെ നിവേദനം വല്ലതും ലഭിച്ചിട്ടുണ്ടോ?

MR. C. KUMARA DAS: All the representations that were made were considered by the Board.

PRESIDENT: Government are going to consider the report very soon and after that orders will be passed.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether the members will be furnished with a copy of the report of the Board?

PRESIDENT: It will be done.

Mining Leases.

166. * **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(*a*) the number of mining leases granted by the Government:

(*b*) the names of the lessees; and

(*c*) the dates of the leases?

MR. P. G. NARAYANAN UNNITHAN: (*a*) Six.

(*b*) and (*c*).

Name of the lessees.		*Date of the lease.*
(1) Travancore Minerals Company, Ltd.	...	16-11-1928.
(2) Messrs. Hopkin and Williams (Travancore) Ltd.	...	8-2-1932.
(3) Messrs. F. X. Pereira & Sons, Ilmenite,	...	11-6-1932.
Monazite & Zircon	...	15-6-1935.
* (4) Mr. E. Massillamani	...	22-3-1933.
(5) Mr. J. L. Pimanda	...	12-7-1935.
(6) Messrs. T. A. George & J. T. Moraes	...	29-6-1935.

*The mining leases granted to Messrs. Massillamani and Pimanda have been taken over by a joint stock company called the Associated Mineral Company. The question of the grant of a mining lease to the company is pending with Government. But pending the execution of the lease deed by the above company the Excise Commissioner has been authorised to issue permits to them for the export of mineral sands.

MR. P. KUNJUKRISHNAN (*Quilon cum Kottarakara*) : May I know whether any representations were received as to the hardship felt by the people on account of mining operations ?

MR. P. G. NARAYANAN UNNITHAN: Some representations were received some time back.

MR. P. KUNJUKRISHNAN : May I know the nature of the representations ?

MR. P. G. NARAYANAN UNNITHAN : I believe it is about sea erosion or encroachment by the sea. I have not got the papers with me now and so I am not able to give the exact information.

MR. P. KUNJUKRISHNAN : May I know whether Government are aware that on account of sea erosion much hardship is felt by the people on the sea coast ?

MR. P. G. NARAYANAN UNNITHAN : The matter has been enquired into and the needful will be done.

PRESIDENT : Certain directions have been issued on the matter.

MR. P. KUNJUKRISHNAN: May I know the nature of the orders issued ?

PRESIDENT : A definite order has been issued to the Company to be more careful in regard to the preservation of private property.

Mining lease in favour of Travancore Minerals Company, Ltd.

167. *MR. K. NARAYANAPERUMAL NADAR : Will the Government be pleased to state :

(*a*) whether a mining lease in favour of Travancore Minerals Company, Ltd., was granted;

(*b*) the terms as regards rents and royalties in the lease; and

(*c*) the price of a ton of monazite on the date of the lease; and the price in 1113 and 1114?

MR. P. G. NARAYANAN UNNITHAN : (*a*) Yes.

(*b*) A copy of the terms for payment of royalty for the different minerals in the lease granted to the Travancore Minerals Company is *appended.

(*c*) In the year 1928 the price per ton of monazite was approximately Rs. 250. The price has been steadily decreasing and during the years 1113 and 1114 the price fetched by the mineral was Rs. 160 per ton approximately.

The Labour Commissioner.

168. *MR. K. NARAYANAPERUMAL NADAR : Will the Government be pleased to state :

(*a*) the date of the appointment of the present Labour Commissioner ;

(*b*) his duties ; and

(*c*) in how many industrial disputes, he has interfered after his appointment till at present ?

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* *Vide* Appendix VIII, page 343.

MR. C. KUMARA DAS: (*a*) 18th September 1939.

(*b*) Co-ordinating the work arising out of the administration of the Labour laws. He is also the Commissioner under the Workmen's Compensation Act.

(*c*) One.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the Labour Commissioner is a full time officer?

MR. C. KUMARA DAS: No; not as Labour Commissioner.

MR. K. NARAYANAPERUMAL NADAR: May I know the name of the Labour Commissioner?

MR. C. KUMARA DAS; Mr. C. Kumara Das.

MR. K. NARAYANAPERUMAL NADAR: In how many industrial disputes has he interfered after his appointment as Labour Commissioner?

PRESIDENT: He has intervened and not interfered.

MR. C. KUMARA DAS: The answer is given in the printed list.

MR. K. NARAYANAPERUMAL NADAR: May I know what recommendations he has made for the improvement of labour conditions?

MR. C. KUMARA DAS: Recommendations are confidential.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government whether any other representation was made to him for his intervention?

MR. C. KUMARA DAS: Not since the appointment, Sir.

MR. P. KUNJUKRISHNAN: How many labour disputes have arisen since the appointment of the Labour Commissioner?

MR. C. KUMARA DAS: One.

MR. P. SIVARAMA PILLAI (*Meenachil* cum *Thodupuzha*): Has the present Labour Commissioner any previous experience of administration of labour laws?

MR. C. KUMARA DAS: No, Sir.

Industrial dispute in the coir factories.

169 ***MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(*a*) when the Government constituted a Board of Conciliation to inquire into the industrial dispute in the coir factories of the State; and

(*b*) whether the Board submitted its report?

MR. C. KUMARA DAS: (*a*) The Board of Conciliation was constituted in November 1938.

(*b*) Yes.

Ryots road from 3rd mile, Varkala-Paripalli road.

170 ***MR. WARKALA K. MADHAVAN** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state the reason for not commencing the work of improvements to the ryots road from 3rd mile, Varkala-Paripalli road to join Paripalli-Bhuthakulam trace?

MR. M. S. DORASWAMI AIYANGAR: Lands have not been acquired. The first half mile of the road is of very steep gradient and this portion has to be retraced along flatter grades. The matter is receiving attention.

MR. WARKALA K. MADHAVAN: May I know whether the work will be completed in 1115.

MR. M. S. DORASWAMI AIYANGAR: Yes, if lands are acquired.

Arrest of Messrs. John Philipose, A. Gangadhara Menon, etc., in Pettah Maidanam.

171 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether it is a fact that in the month of Thulam 1115 Messrs. E. John Philipose, Ex-M. L. A., A. Gangadhara Menon, M. N. Parameswaran Pillai, B. A., B. L., and T. K. Narayana Pillai were arrested for addressing a State-Congress Meeting in Pettah Maidanam, near the Pettah Railway station;

(*b*) the reason for the arrest?

MR. M. K. NILAKANTA AIYAR: (*a*) The answer is in the negative.

(*b*) They have been detained under the Defence of Travancore Rules.

Co-operative Societies.

172 ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) the number of co-operative societies keeping property registers recording the assets of the members ; and

(*b*) the number of co-operative societies having 'loan utilisation enquiry committees' to enquire how the loans are utilised?

MR. M. RAMACHANDRA RAO: (*a*) 521.

(*b*) Nil.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the maintenance of such registers is not conducive to the growth of the societies?

MR. M. RAMACHANDRA RAO: Certainly, it is.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the maintenance of such registers is not enforced?

MR. M. RAMACHANDRA RAO: If the bye-laws of the society provide for the maintenance of such registers they have to be maintained and if they are not maintained, the matter will be enquired into.

MR. KANNANTHODATH JANARDANAN NAIR: Cannot the societies be asked to include it in their bye-laws?

MR. M. RAMACHANDRA RAO: They can be asked

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from Government whether there is any provision in the present Co-operative Societies Regulation regarding societies having loan utlisation enquiry committees?

MR. M. RAMACHANDRA RAO: I claim notice.

Export duty on molasses.

173 ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) whether the export duty on molasses has been reduced recently;

(b) by how much was it reduced; and

(c) the immediate cause for such a reduction?

MR. P. G. NARAYANAN UNNITHAN: (a) No.

(b) & (c) In view of the answer to part (a), these questions do not arise.

Price of Salt.

174 *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state the latest price of salt, at Nagercoil, Trivandrum Adoor, Pathanamthitta, Quilon, Kottayam and Parur?

MR. P. G. NARAYANAN UNNITHAN: A *statement is appended.

Graduate Teachers in the Education Department.

175 *MR. S. NARAYANA PILLAI (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(a) the number of graduate teachers recruited to the Education Department prior to the date of standardisation who did not get the benefits of the pre-standardisation scale of pay;

(b) the number of such teachers who held substantive posts and had put in an aggregate acting service in acting vacancies of one year on the date of the standardisation G. O.; and

(c) the number of such teachers without substantive posts and who had put in an aggregate acting service of three years before the date of the standardisation G. O.?

MR. A. GOPALA MENON: (a) 51

(b) 10.

(c) 9.

Compulsory Primary education in the State.

176 *MR. P. KUNJUKRISHNAN: Will the Government be pleased to state whether the Government have before them any scheme for the introduction of compulsory primary education in the State?

MR. A. GOPALA MENON: No.

MR. P. KUNJUKRISHNAN: May I know whether Government are aware that the introduction of compulsory primary education is very necessary?

MR. A. GOPALA MENON: Government are fully aware of it.

MR. P. KUNJUKRISHNAN: Then, may I know why no steps were taken in that direction?

MR. A. GOPALA MENON: The question was fully considered on a former occassion and the Government gave the House an assurance that a scheme leading to cent per cent literacy would be considered and adopted.

MR. P. KUNJUKRISHNAN: May I know whether Government have any scheme at present for effecting this?

MR. A. GOPALA MENON: Government are now pursuing a policy of expansion of primary and adult education.

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* *Vide* Appendix IX, page.

MR. P. KUNJUKRISHNAN: May I know what policy Government is now adopting?

MR. A. GOPALA MENON: Encouraging and helping aided schools and opening new schools wherever there is a demand for them.

MR. P. KUNJUKRISHNAN: What is the difficulty that stands in the way of Government introducing compulsory primary education at present?

MR. A. GOPALA MENON: Inadequacy of funds.

Sale of Toddy.

177 ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether the Assembly has passed a resolution prohibiting sale of toddy after 6 P. M. and whether the Government have adopted the same; and

(*b*) if so, whether the Government have taken any steps to enforce the same?

MR. P. G. NARAYANAN UNNITHAN: (*a*) The Assembly has passed the resolution.

(*b*) The matter is under consideration.

MR. P. KUNJUKRISHNAN: May I know the date on which the resolution was passed?

MR. P G. NARAYANAN UNNITHAN: I claim notice.

Fare on the Trivandrum-Quilon line of the Transport Department.

178 ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) when the fare on the Trivandrum-Quilon line of the Transport Department was increased;

(*b*) by how much was the increase; and

(*c*) what was the immediate necessity for such an increase?

MR. K. SANKARAN: (*a*) and (*b*) The fare was not increased; but the concessional rate of Chs. 14 was stopped with effect from 15-11-1939 and the original rate of Chs. 21 was restored.

(*c*) The concession was stopped as the railway fare was increased and also as the cost of fuel, engine oil and spare parts went up on account of the war.

MR. KANNANTHODATH JANARDANAN NAIR: Sir, may I know the fare on the Trivandrum-Quilon line before the Government Transport Service was introduced?

MR. K. SANKARAN: I think it was seven annas.

MR. KANNANTHODATH JANARDHANAN NAIR: May I know whether the fare of 21 chakrams now introduced is not a great increase?

MR. K. SANKARAN: Seven annas was fixed by the owner of a private service.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the private owners were not making a profit when the fare was only seven annas?

MR. K. SANKARAN: I cannot say whether they were making a profit or not.

MR. KANNANTHODATH JANARDANAN NAIR: May I inform the member.........

PRESIDENT: The honourable member will realise that this is the time for asking questions and not imparting information to Government which should be done by correspondence.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether there is any rule that the railway authorities cannot enhance the fare beyond a prescribed rate?

MR. K. SANKARAN: The fixing of the rate by the railway authorities is done according to their own discretion.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether there is no statutory provision in regard to the fixing of the rates?

MR. K. SANKARAN: The railway authorities are governed by the Indian Railway Act.

MR PULIYOOR T. P. VELAYUDHAN PILLAI: May I know by what proportion they can enhance the rate at any time?

MR. K. SANKARAN: I claim notice.

MR. P. KUNJUKRISHNAN: May I knw whether there is any relation between the railway fare and the bus fare?

MR. K. SANKARAN: In order to avoid competition the fare ought to be uniform.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the disparity between the railway fare and the bus fare between Trivandrum and Quilon at present?

MR. K. SANKARAN: I think it is practically the same.

PRESIDENT: There was a conference between the railway authorities and this Government and proposals are under consideration for preventing useless competition between the Transport Department and the railway. As it is, this Government have to pay a very heavy deficit in respect of the working of the railway and the idea is that whichever way you work it must be possible for this Government not to sustain a greater loss than at present. It is in view to that that certain proposals are under consideration.

Appendix I.

Vide Answer to Question No. 133.

Statement showing the quantity and cost of coir mats and mattings exported to South African Ports from the Port of Alleppey from 1934-1939.

Name of articles.	1934 to 1935		1935 to 1936		1936 to 1937		1937 to 1938		1938 to 1939	
	Quantity Cwts.	Value Rs.	Quantity Cwts.	Value Rs.	Quantity Cwts.	Value Rs.	Quantity Cwts.	Value Rs.	Quantity Cwts.	Value Rs.
Coir Mats ...	1,922	20,662	2,065	28,910	3,193	37,518	2,797	40,557	1,677	24,526
	Yds.		Yds.		Yds.		Yds.		Yds.	
Coir mattings, Rugs and Carpets ...	47,290	23,465	71,810	35,905	71,374	36,802	64,624	34,332	42,408	22,529

Appendix II.

Vide Answer to Question No. 145.

Statement, by caste, of Assistant Excise Commissioners now in service.

A.	HINDU.	
	1. Brahmin	2
	2. Nayar	7
	3. Kammala	...
	4. Nadar	...
	5. Ezhava	1
	6. Cheramar (Pulaya)	...
	7. Other Hindu	...
B.	MUSLIM	...
C.	CHRISTIAN.	
	1. Jacobite	...
	2. Marthomite	...
	3. Syriac Catholic	...
	4. Latin Catholic	..
	5. South India United Church	...
	6. Other Christian	...
	Total	10

Appendix III.

Vide Answer to Question No. 146.

Statement, by caste, of Clerks in service in the Education Department appointed as per the selection of the Public Service Commissioner and otherwise during the last two years ending with 1st Dhanu 1115.

Nair	...	1
Ezhava	...	3
Marthomite	...	1
S. I. U. C.	...	6
Total	...	11

Appendix IV.

Vide Answer to Question No. 148.

Statement, by caste, of officers in the Co-operative Department carrying a pay of above Rs. 50.

		Permanent.	Temporary
A. Hindu			
1. Brahmin	...	3	2
2. Nair	...	18	3
3. Kammala	...	...	...
4. Nadar	...	..	...
5. Ezhava	...	3	1
6. Cheramar (Pulaya)	...	...	...
7. Other Hindu	...	6	1
B. Muslim.	...	1	...
C. Christian.			
1. Jacobite	...	...	1
2. Marthomite	...	2	...
3. Syriac Catholic	...	1	1
4. Latin Catholic	..	2	...
5. South India United Church	...	3	2
6. Other Christian	...	2	2
Total	...	41	13

Appendix V.

Vide Answer to Question No. 149.

Statement, by caste, of the clerks in the High Court

A. Hindu		
1. Brahmin	...	15
2. Nair	...	16
3. Kammala	...	2
4. Nadar	...	1
5. Ezhava	...	5
6. Cheramar	...	...
7. Other Hindu	...	6
B. Muslim	...	3
C. Christian.		
1. Jacobite	...	2
2. Marthomite	...	1
3. Syriac Catholic	...	1
4. Latin Catholic	...	2
5. South India United Church	...	3
6. Other Christian	...	1

Appendix VI.

Vide Answer to Question No. 150. Part C.

Statement relating to appointments of Sub-Registrars exempted from Government Order regarding minimum qualifications.

No.	Name.	Qualifications.	Total service prior to appointment as Sub-Registrar.			Remarks.
			Years	Month	Days	
1	Mr. C. R. Sankara Pillai	Vernacular Elementary and Registration Test	31	3	..	Exempted from examination qualifications
2	,, M. Chacko	S. S. L. C. & Registration Test	17	6	2	Do. and the rule regarding minimum service
3	,, A. Pothakanni Meerayu	Vernacular Middle School and Registration Test.	25	5	25	Exempted from examination qualifications
4	,, K Sivarama Pillai	S. S. L. C. & Registration Test.	15	2	13	Do. and the rule regarding minimum service.
5	,, K. O Verghese	Do. Do.	14	4	5	Exempted from examination qualifications and the rule regarding minimum service.
6	,, A. Abdul Kadir Sahib	E. S. L. C. (Pass) & Registration Test	11	4	8	The rule regarding minimum service.
7	,, M. N. Gopala Pillai	Do. Do.	17	3	6	Do.
8	,, P M. Parameswaran Pillai	Intermediate (Part I) & Registration Test	19	6	18	Do.
9	,, K. G. Nilakanta Pillai	S. S. L. C. & Registration Test	20	5	18	Exempted from examination qualifications and the rule regarding minimum service
10	,, K. Thanuvan Tampi	E. S. L. C. (Pass) & Registration Test	10	10	24	The rule regarding minimum service.
11	,, P. R. Krishna Pillai	Not known	28	6	6	Exempted from examination qualifications and the rule regarding Registration Test.
12	,, A. Nilakanta Pillai	Matriculate and Pleadership	..	..	..	The rule regarding Registration Test.
13	,, K. Damodaran	B. A.	7	7	6	Do.
14	,, S. Bhagavathimuthu Chettiyar	S. S. L. C.	18	7	.	Exempted from examination qualification and Registration Test.
15	,, Stephen Netto	B. A.	6	3	21	The rule regarding Registration Test.

Appendix VII.

Vide Answer to Question No. 155

Statement showing the number of men and boys working in the Ceramic Factory during 1114 and the total wages paid each month.

	Number.	Wages.		
		Rs.	Chs.	C.
Chingom	103	677	18	0
Kanni	179	813	2	12
Thulam	225	1,033	4	0
Vrischigom	209	1,393	27	4
Dhanu	267	1,284	20	4
Makaram	284	1,291	13	8
Kumbhom	286	1,457	16	12
Meenam	278	2,024	25	12
Medom	333	1,704	7	4
Edavom	366	1,946	3	12
Mithunam	365	2,754	26	12
Karkadakam	467	3,918	21	4

Appendix VIII.

Vide Answer to Question No. 167

Rents and Royalties reserved by the Lease.

Monazite: British Rupees (40) forty per ton of Monazite extracted from the licensed premises and taken into stock or sold if the market selling price of Monozite is not higher than £ (25) twenty five per ton or lower than £ (20) twenty per ton; provided that if the market selling price exceeds £ (25) twenty five per ton the Lessee shall pay to the Government a surplus royalty over and above Bh. Rs. 40 forty per ton, of ten per cent. on any excess over £ (25) twenty five, and provided also that if the market selling price falls below £ (20) twenty per ton, the Lessee shall subject to a minimum royalty of Bh. Rs. (30) thirty per ton, be entitled to a rebate of 10 per cent. on the deficiency.

Zircon; Bh. Rs. (7½) seven and a half per ton of Zircon extracted from the lease-hold if the selling price of Zircon is not higher than £ (10) ten per ton or lower than £ (8) eight per ton; provided that if the selling price at any time exceeds £ (10) ten per ton, Lessee shall pay to the Government in addition to the Royalty of Bh. Rs. (7½) seven and a half per ton a surplus royalty of 10 per cent. on such excess.

Provided also that if the selling price falls below £ (8) eight per ton, the lessee shall subject to a minimum royalty of 5 per cent. of the selling price, be entitled to a rebate of 5 per cent. on such deficiency.

Ilmenite: Bh. Re. (1) one per ton of ilmenite extracted from the licensed premises if the selling price of ilmenite is not higher than £ (3½) three and a half per ton or lower than £ (2) two per ton; provided that if the selling price exceeds £ (3½) three and a half per ton the Lessee shall pay to the Government in addition to the royalty of Re. (1) one per ton a surplus royalty of five per cent. on such excess; provided also that if the selling price falls below £ (2) two per ton, the Lessee shall be entitled to a rebate of ten per cent. on such deficiency subject in any case to a minimum royalty of 12 annas per ton.

Sillimanite: Rs. (20) per ton when the price is between £ (5) five and £ (7½) seven and a half per ton. An additional royalty at the rate of 15 per cent. on the excess is payable by the Company when the price of the mineral goes above £ (7½) seven and a half per ton, and the company is entitled to a rebate of 15 per cent. on the deficiency in the selling price, if it falls below £ (5) five per ton subject in any case to a minimum Royalty of Rs. (10) ten per ton.

Rutile: 33 1/3 per cent. of the selling price.

Appendix IX.

Vide Answer to Question No. 174.

Statement showing the price of salt at certain places.

Price of salt.

Place.	*Per bag.* Rs.	As.	Ps.	*Per Edangali.* Chs.	Cash.
Nagercoil	4	10	6	2	0
Trivandrum	4	12	0	2	8
Adoor	5	4	0	2	12
Pathanamthitta	5	10	0	3	0
Quilon	5	2	0	2	12
Kottayam	5	8	0	2	12
Parur	5	1	0	2	6

ADJOURNMENT MOTION.

PRESIDENT: I have received notice of an adjournment motion from Mr. K. C. Karunakaran to discuss a definite matter of urgent public importance, namely the serious situation caused by the misleading publication in the "Madras Mail" of the 24th January regarding the fumigation of rice imported from Cochin. I have seen that. I do not know whether after hearing what has to be said on the matter, the honourable member will pursue it. There is no doubt that a note has appeared purporting to be from 'Our Staff Correspondent' at Ernakulam which is, I suppose, what the honourable member is referring to. That is a purposely misleading statement. The note reads thus.

> "Hitherto, rice exports from Cochin were fumigated by the Cochin Government as a precaution against plague infection. Following the outbreak of plague in Alleppey and Quilon the Travancore Government decided to refumigate rice imports from Cochin."

A careful omission is made of the prevalence of plague in Cochin and the suggestion of the Staff Correspondent is that the Travancore Government fumigate rice in Mattancherry because there is plague at Alleppey and Quilon, rather a difficult thing to reconcile. Apparently it is done with a purpose.

> "The limited staff of the Travancore Government could not cope with the large volume of traffic and, therefore, there was delay which resulted in hardships to merchants............
>
> "On the intervention of the Resident a conference was held at Arukutty..............
>
> "A joint certificate by the Travancore and Cochin health authorities to goods on fumigated will be issued and they will be allowed to proceed without re-examination at the frontier."

The whole note is inaccurate from beginning to end. The Government will take necessary steps to bring to the notice of the management of the 'Madras Mail' that it is not befitting the dignity of that paper to publish such matters. I trust that similar things will not arise hereafter. I think the 'Madras Mail' seems to be rather badly served. In the same issue of the paper, dealing with the Quilon arrest the paper states:

> "It is learnt that the arrest was based on C. I. D. reports that he was carrying on correspondence with the leaders of the Travancore State Congress who are now outside the State, and helping the State Congress movement in the State."

The person arrested is guilty of dangerous communistic activities, and his arrest has nothing to do with the report of the C. I. D. solely. Apparently the 'Madras Mail' seems to be badly served by its correspondents. In these circumstances, I think the honourable member will not press his motion.

MR. K. C. KARUNAKARAN (*Nominated*): In view of the statement of the Dewan-President, I do not wish to press this motion. But in doing so, I would like to submit before the House one or two very important points which not only concern the whole country but concern particularly the mercantile community at Alleppey. In the last paragraph of the note appearing in the 'Madras Mail' it is said that 'the question

of enforcing restrictions on imports from Travancore in view of the announcement of the outbreak of plague in Quilon and Alleppey is now being considered by the Cochin Government".

PRESIDENT: Order, order. If that paragraph is of a piece with the rest of the note, I would consider it not worth referring to because they contain so many mis-statements, and I decline to believe that the Cochin Government would have authorised the staff correspondent at Ernakulam to report what is undoubtedly incorrect. I do not think honourable members need take serious note of this.

MR. K. C. KARUNAKARAN: There is an ulterior purpose in putting this paragraph.

PRESIDENT: I have already said so, that the whole thing was done with the definite purpose of disparaging the Travancore Government.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencottah*): I rise to a point of order whether such things can be discussed as an adjournment motion because it must relate to something for which the Government is responsible.

PRESIDENT: Government is supposed to be responsible for the limited staff not coping with the matter of fumigation. Therefore it is open to honourable members to point out that Government should not keep such a limited staff and cause inconvenience all round and that is the suggestion sought to be made in the article. That is the reason why the adjournment motion is pressed.

Does the honourable member press the motion?

MR. K. C. KARUNAKARAN: No, Sir.

DISCUSSION REGARDING RECRUITMENT TO THE PUBLIC SERVICE.

MR. PUTHUPALLI S. KRISHNA PILLAI: I beg to submit that in view of three or four important Bills pending consideration of the House I may be permitted to proceed with the Bills before the House takes up the regular business as on the agenda for the day.

PRESIDENT: I do not think that any apprehension need be entertained in regard to the taking up of legislative business. I am told, and I hope anticipations will be fulfilled, that discussion regarding the report of the Public Service Commissioner may not take long. In any case, I shall wait till lunch time and if by that time the discussions are not over, I shall then ask the House whether they will consent to your dealing with the legislative measures.

Yesterday this House went into committee and I understand that certain resolutions have been drafted. I leave it to this honourable House to decide whether they will resume their labours in committee and pass some kind of resolution and bring it back to the House or whether on the basis of what has happened in committee yesterday, the resolution will be moved in the House. It is open to the honourable members to adopt whichever course they choose.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanacherry* cum *Peermade*): Yesterday we arrived at what was an unanimous agreement on most of the important issues. But there are some slight differences about a few points. Either course can be adopted without any appreciable loss of time.

PRESIDENT: The only matter now for consideration by the House is whether this House would go into committee now or deal with the matter in the open House. If you go into committee then there might be some discussion and agreement and that agreement will be recorded in the open House. If on the other hand the House wants a discussion in the open House to take place, then the resolution can be moved in the open House.

MR. C. JEBAMONY NADAR: (*Kalkulam* cum *Vilavankod*): I would suggest that the matter may be discussed on the floor of the House so that what we say may go into record.

PRESIDENT: I do not know whether I made myself clear. Even if the House went into committee, the agreements reached there will have to come back to the House and every word of it is open to debate and vote. But if honorable members would prefer to do it in the open House, it can be done in that way.

MR. S. CHATTANATHA KARAYALAR: As one of those who directed the discussions yesterday I might be permitted to say that almost agreed conclusions were reached on the major issues. It was only on certain minor points there was no agreement. Therefore, it might be possible to put all those resolutions on which there was agreement first and those in regard to which there are minor differences might be settled here in the open House.

PRESIDENT: I take it that it is the general sense of the House to proceed with the discussion here.

MR. KAINIKKARA M. PADMANABHA PILLAI: I shall move the resolutions one by one.

I beg to move the following motion:

Resolution No. 1.

"Public Service may be defined as in the T. S. R. Manual with the following alterations:

(a) The employment as Munsiffs should be included in Public Service.

(b) Appointments in the University and the institutions under it should be excluded.

(c) Employment in state aided schools should be excluded from Public Service provided however that in future when sanctioning new schools preference must be given to applications from communities having fewer schools other conditions being satisfactory."

MR. K. KUNJU PANICKAR (*Mavelikara* cum *Kunnattur*): My original idea was that grant-in-aid pharmacies, vaidyasalas and schools should all be covered by this provision; in the light of the discussion that has taken place, I have withdrawn that idea. Now, I beg to submit that the word 'employment' used in the resolution, does not fit in with the case of pharmacies and vaidyasalas. I would therefore suggest certain verbal alteration.

MR. KAINIKKARA M. PADMANABHA PILLAI: May I draw the attention of my friend to the fact that in the resolution that I have moved just now, I have omitted pharmacies and vaidyasalas.

MR. K. KUNJU PANICKAR: Then, I have no amendment to suggest.

MR. K. G. GOVINDAN (*Pattanamthitta*): I rise to a point of order. Can an amendment printed and circulated by the Secretary be withdrawn without the leave of the House?

PRESIDENT: Mr. Kunju Panickar has not moved any amendment; therefore there is no question of any withdrawal. He has not moved his amendment for the simple reason that in this House or in any Legislature in the world affirmative resolutions for expenditure cannot be moved; that is the responsibility of the executive all over the world. That is one of the matters specifically prohibited by Statute.

MR. K. KUNJU PANICKAR: I would suggest that the second part of the resolution, relating to the University, be omitted; if we are going to exclude it from the Recruitment Rules on the ground that the University does not form part of the public service, then why make special mention of it, and then say that you are excluding it.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, my answer is simple. At the time the Recruitment Rules now in force were first passed, we had no University, and naturally the Rules did not make mention of any University; but now we have a University, so that we have to make specific mention of it and state that we are excluding it.

MR. P. S. MUHAMMED: I second the motion.

The resolution was put to vote and carried.

Resolution No. 2.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I beg to move the following resolution:-

> These rules apply to initial recruitments only and not to promotions, and confirmation shall be determined by the date of first recruitment."

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

MR. K. KUNJU PANICKAR: I beg to move the following amendment:—

Substitute the following for resolution No. 2:—

> "These rules shall apply to initial recruitments and confirmation hereafter without retrospective effect."

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I support the amendment. We have already discussed this matter yesterday and come to an understanding. I hope the mover of the resolution will accept this amendment.

MR. KAINIKKRA M. PADMANABHA PILLAI: I may just point out, Sir, that the present amendment does not represent the agreement arrived at yesterday.

PRESIDENT: It was to avoid such small differences that I put it to the House whether they had not better go into committee to day also so that, here, we would have only agreed resolutions to deal with. These small controversies and references to what took place at the informal discussions could have been avoided if final conclusions had been arrived at informally. These small differences could have been adjusted informally; bargaining is not quite appropriate here.

MR. KAINIKKARA M. PADMANABHA PILLAI: What was suggested yesterday was that confirmation should depend on the date of first entertainment.

MR. K. KUNJU PANICKAR: I withdraw my amendment, Sir.

PRESIDENT: I take it that the House is willing to have these resolutions being looked into from the point of view of draftsmanship; as it is, they should be taken only as embodying the fundamental ideas.

The resolution was put to vote and carried.

Resolution No. 3.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I beg to move the following resolution :—

"Public Service may be divided into :

(a) Higher Division.

(b Lower Division.

i. Inferior Service as defined in the Travancore Service Regulation.

ii. Superior Service.

(1) Ministerial.

(2) Executive.

The Higher division comprises all appointments of which the actual initial salaries, exclusive of all allowances, at the time when any recruitment thereto is made are Rs 150 or more per mensem.

The Lower Division comprises all appointments of which the actual initial salaries exclusive of all allowances, at the time when any recruitment thereto is made, are less than Rs. 150 per mensem."

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

The resolution was put to vote and carried.

Resolution No. 4.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I beg to move the following resolution :—

"Appointments to the Higher Division shall be by fresh recruitments and promotion in the proportion 1 : 2.

No change need be made in the rules regarding the T. C. S. examination. But the claims of those communities that fail to get representation through the competitive examination may be considered when making nominations.

Recruitment to the cadre of Munsiffs from Service and the Bar shall be in the ratio of 1 : 3.

Even though the cadre comes under the Higher Division the recruitments shall be made according to the communal rotation shown below in the case of the Lower Division."

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

The resolution was put to vote and carried.

PRESIDENT: I take it that the official members are not taking part in the voting.

MR. M. K. NILAKANTA AIYAR: No, Sir.

Resolution No. 5.

MR. KAINIKKARA M. PADMAMABHA PILLAI: Sir, I beg to move the following resolution :—

"Recruitment to inferior service and to the ministerial and executive branches of the superior service respectively in the Lower Division of Public Service shall be made by rotation on the basis of the population of communities provided that the candidates selected possess the minimum qualification prescribed.

[Mr. Kainikkara M. Padmanabha Pillai.]

> When there are more than the required number of candidates from any particular community the best qualified among them may be chosen.
>
> If there is no suitable candidate available from any community which should be selected in compliance with the rules the said community shall be ignored in making the said selection."

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

The resolution was put to vote and carried.

Resolution No. 6.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I beg to move the following resolution:

> "The minimum qualifications prescribed in schedules I B and C of the T. S. R. Manual may be accepted."

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: I oppose it. This resolution seeks to enhance the minimum qualifications now prescribed for certain appointments.

MR. KAINIKKARA M. PADMANABHA PILLAI I am afraid my friend is referring to the printed version of the resolution. As I have moved, the resolution adopts the minimum qualifications prescribed in the T. S. R. The resolution as printed suggests a few changes. They have now been left out and as read by me means that no change need be made.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: I withdraw the amendment.

The resolution was put to vote and carried.

Resolution No. 7.

MR. KAINIKKARA M. PADMANABHA PILLAI: I move the following resolution:—

> "Communities for the purpose of the above rules shall be divided into three main religious groups, namely, Hindus, Christians and Muslims. Out of every 51 appointments 31 appointments shall be given to the Hindus, 16 to Christians and 4 to Muslims.'

MR. KAVIYOOR K. K. KOCHUKUNJU: സർ, ഇപ്പോൾ ആലോചനയിൽ ഇരിക്കുന്നതും ഈ വിഭജനവ്യവസ്ഥയിൽ ഉൾപ്പെടുത്തീട്ടില്ലാത്തതും യഥാർത്ഥത്തിൽ ഉൾപ്പെടുത്തേണ്ടതുമായ ചില സമുദായങ്ങൾ കൂടിയുണ്ട്. അതിൽ ഒന്നാണ് ഞാൻ ഉൾപ്പെട്ട വർണ്ണവസമുദായം. ൩൯,൩൨൧ ഉള്ള വെള്ളാളസമുദായത്തേയും ൪൧,൦൧൮ ഉള്ള കുറവസമുദായത്തേയും ൧൦,൩൪൨ ഉള്ള പറയസമുദായത്തേയും ഈ ലിസ്റ്റിൽ ഉൾപ്പെടുത്തീട്ടുണ്ട്. എന്നാൽ ൯൪,൩൩൪ ഉള്ള വണ്ണവസമുദായത്തെ ഉൾപ്പെടുത്തിക്കാണാത്തതിൽ എനിക്ക് അതിയായ വ്യസനമുണ്ട്. അതിനെക്കുറിച്ച് സംസാരിക്കുന്നതിനായി ഞാൻ ഒരു പ്രമേയം അയച്ചിട്ടുണ്ട്. അതിനേക്കുറിച്ചുകൂടി ഈ അവസരത്തിൽ സംസാരിക്കുന്നതിന് അനുവാദമുണ്ടെങ്കിൽ അപ്രകാരം ചെയ്യണമെന്ന് ഞാൻ ആഗ്രഹിക്കുന്നു. എന്റെ പ്രമേയത്തിന്റെ സാരം ഇപ്രകാരം ആണ്.

PRESIDENT: Will the Honourable member say what he has to say?

MR. KAVIYOOR K. K. KOCHUKUNJU: ഒരു ഭാഗംമാത്രമോ ഞാൻ പറയാം

MR. C. JEBAMONY NADAR: I oppose the resolution. My point is that there should be a definite principle. Let the classification be either on the ground of religion or on the ground of caste. In one part of the resolutions we find classifications on the ground of religion; Then we find classification based on communities, and even amongst them there is a further classification such as Caste Hindus and Other Hindus. I submit that such a classification is opposed to all sound principles.

PRESIDENT: I take it that these are mere compromises.

MR. C. JEBAMONY NADAR: The present number 31 is based upon the population basis of one lakh. That may be reduced to half a lakh, so that some minority communities may have a better chance of representation. For these reasons I oppose the resolution.

The resolution was put to vote and carried.

Resolution No. 8.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I beg to move the following resolution:—

"The recruitments from these three religious groups may be made according to the following rotation;—

1. Muslim
2. Christian
3. Hindu
4. Hindu
5. Christian
6. Hindu
7. Hindu
8. Christian
9. Hindu
10. Hindu
11. Christian
12. Hindu
13. Hindu
14. Muslim
15. Christian
16. Hindu
17. Hindu
18. Christian
19. Hindu
20. Hindu
21. Christian
22. Hindu
23. Hindu
24. Christian
25. Hindu
26. Hindu
27. Muslim
28. Christian
29. Hindu
30. Hindu
31. Christian
32. Hindu
33. Hindu
34. Christian
35. Hindu
36. Hindu
37. Christian
38. Hindu
39. Hindu
40. Muslim
41. Christian
42. Hindu
43. Hindu
44. Christian
45. Hindu
46. Hindu
47. Christian
48. Hindu
49. Hindu
50. Christian
51. Hindu

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

The motion was put to vote and carried.

Resolution No. 9.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution :—

"Hindus may be subdivided into the following communities and each sub-section given the number of appointments noted against it :—

1.	Brahmin	1
2.	Nair	9
3.	Ezhava	9
4.	Kammala (Viswakarma)	2
5.	Nadar	2
6.	Vellala	1
7.	Other forward caste Hindu	1
8.	Pulaya	2
9.	Kurava	1
10.	Paraya or Sambavar	1
11.	Other Backward Hindus	2
		31

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

MR. N. VELU ACHARI (*Nominated*) : "കമ്മാളർ" എന്നുള്ളതിനെ "വിശ്വകർമ്മാ" എന്നാക്കിയാൽ കൊള്ളാം.

PRESIDENT: Has the Honourable Member any objection to say "Viswakarmas or Kammalas by whatever name they are known or recognised". There are certain groups of people who may raise objection to being called by certain names. I found certain difficulty in my own experience. There was a certain community which wanted nomination in the Madras Legislature and they put forward the claim of Agnikula Kshatriyas. When the matter was enquired into it was found that it was the fishing community who put forward the claim. That representation was dealt with and they got nomination under the title of fishermen though not under the title of Aginkula Kshatriyas as nominations were not available for any except members of backward communities.

MR. M. SIVATHANU PILLAI (*Tovala* cum *Agastiswaram*) : I know, Sir, that in my own part of the country people do not wish to be classified under the name 'Parayas'. They take it as an insult to hem. The word may be changed from Parayas to Sambavars.

MR. C. JEBAMONY NADAR: I oppose the resolution.

MR. N. VELU ACHARI: സർ, ബഹുമാനപ്പെട്ട മെമ്പർ മി. കൈനിക്കര പത്മനാഭപിള്ള അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തിൽ "കമ്മാള" എന്നു ചേർത്തിരിക്കുന്ന ഭാഗങ്ങളിലെല്ലാം "വിശ്വകർമ്മാ" എന്നു ചേർക്കണമെന്നാണു എന്റെ അമെൻഡുമെൻറ്. ഇതു ഒരു നിസ്സാരമായ സംഗതിയും ആർക്കും വിസമ്മതത്തിനു കാരണമില്ലാത്തതും ആകുന്നു.

ഒന്നാമതായി ഇതിൽ സർവീസ് പ്രാതിനിധ്യമൊ മററവകാശവാദങ്ങളൊ യാതൊന്നും തന്നെ ഇല്ലാ എന്നുള്ളതാണ്. രണ്ടാമതായി അനേകശതവർഷങ്ങളായി സൌത്തിൻഡ്യയിൽ സാർവത്രികമായി തമിഴ് ഭാഷയും തമിഴ്സംസ്കാരവും നിലനിന്നു വരവെ പലവിധ ഭാഷയും ഭിന്നമായ സംസ്കാരവും ആവിർഭവിക്കയാൽ പല വർഗ്ഗക്കാൎക്കും ഓരോ തരത്തിലുള്ള മാററങ്ങളും ഉണ്ടായിരിക്കണം. ഏതായാലും ഈ രാജ്യവാസികളായ ഇക്കൂട്ടർ സകലരും അവരുടെ സാമുദായികവും സാമ്പത്തികവും ആത്മാഭിമാനപരവുമായ അഭിവൃദ്ധിക്കുവേണ്ടി പലപല സ്ഥാപനങ്ങളും മഹായോഗങ്ങളും വ്യവസായശാലകളും മററും സ്ഥാപിച്ചിട്ടുള്ളത് "വിശ്വകർമ്മ", "വിശ്വബ്രഹ്മ", "വിശ്വബ്രാഹ്മണ", എന്നിങ്ങനെയുള്ള പേരിലാണ്. ഒരൊററ കമ്മാളസ്ഥാപനംപോലും ഈ രാജ്യത്തില്ലാ എന്നുള്ളതും സ്മരിക്കേണ്ട ഒരു കാര്യമാണ്. ആയതിനാൽ "കമ്മാളാ" എന്നുള്ള പേരുമാററി "വിശ്വകർമ്മ" എന്നാക്കണമെന്ന് ഞാൻ വിനീതമായി അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു. ഇവിടെയുള്ള ഈ ആളുകളെല്ലാം "വിശ്വകർമ്മ" എന്ന പേരാണ് ഇഷ്ടപ്പെടുന്നത്. സർ, കമ്മാള എന്നും കംസാല എന്നും ലോഹാർ എന്നും മററും വിളിച്ചുവന്ന ഇക്കൂട്ടരുടെ നിവേദനംമൂലം മദ്രാസ് ഗവണ്മെൻറും, മൈസൂർ ഗവണ്മെൻറും ഈയിടയ്ക്കു കൊച്ചി ഗവണ്മെൻറും അവൎക്കു "വിശ്വകർമ്മ" എന്ന പേരു അംഗീകരിച്ചിട്ടുണ്ട്.

MR. PADIYARA JOSEPH KUNJU : കമ്മാള എന്നെഴുതിയിട്ടു ബ്രാക്കററിനകത്ത് വിശ്വകർമ്മ എന്നു എഴുതിയാൽ മതിയാകുമൊ?

MR. N. VELU ACHARI : "വിശ്വകർമ്മ" എന്നുമാത്രം മതിയാകും. ഇവിടെ മററുപല ജാതികൾക്കും ദുസ്സഹമായി തോന്നിയിരുന്ന പേരുകൾ മാററി അവൎക്കിഷ്ടമുള്ള പേരു ചേൎത്ത് അവരുടെ ആഗ്രഹം സാധിച്ചുകൊടുത്തതുപോലെ സാധുക്കളായ ഇവരുടെ ആഗ്രഹവും സാധിച്ചുതരണമെന്നാണ് ഞാൻ അപേക്ഷിക്കുന്നത്. മദ്രാസിൽ എത്രയോ കാലത്തിനു മുൻപു ഈ പേർമാററി. മൈസൂരിലും ൨൫ വർഷമായി വിശ്വകർമ്മ എന്ന പേരിലാണംഗീകരിച്ചറിയപ്പെടുന്നത്.

PRESIDENT : There is not the slightest inclination to belittle the argument. The honourable member may proceed.

What is the name given to the community in Mysore ?

MR. N. VELU ACHARI : "വിശ്വകർമ്മ" എന്നാണ്.

MR. PADIYARA JOSEPH KUNJU: ഈ സമുദായത്തിൽ കർമ്മാളർ എന്ന പേരുതന്നെ വച്ചുകൊണ്ടിരിക്കണമെന്നു ആഗ്രഹമുള്ളവർ ധാരാളമുള്ളതായി മെമ്പർക്കു അറിയാമോ?

MR. N. VELU ACHARI: കമ്മാളബില്ലിനുശേഷം മി. നീലകണ്ഠനും കൂട്ടുകാരിൽ മൂന്നാലുപേരും ഉണ്ടായെന്നു വരാം. എന്നാൽ കർമ്മാള എന്നറിയപ്പെടുന്ന ഒററ സംഘംപോലും തിരുവിതാംകൂറിൽ ഇല്ലായെന്നുള്ളതുകൊണ്ടുതന്നെ ആ പേരു ആരും ഇഷ്ടപ്പെടുകയില്ല എന്നു തെളിയും.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: ഈ സമുദായത്തെ സംബന്ധിച്ചു് അസംബ്ളിയിൽ അവതരിപ്പിച്ചിട്ടുള്ള രണ്ടു ബില്ലുകളുടേയും പേരെന്താണെന്നു മെമ്പർക്കു പറയാമോ?

MR. N. VELU ACHARI: ഇതും അതുമായി യാതൊരു ബന്ധവുമില്ലെന്നു് ഓർക്കേണ്ടതാണു്. ഗവർണ്മെൻറു റിക്കാർഡുകളിൽ വിശ്വകർമ്മ എന്നു വയ്ക്കണമെന്നാണു് എൻെറ അപേക്ഷ.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, two Bills have been referred to the Select Committee, one called the Kammala Bill and the other called the Viswakarma Bill. The Select Committee is considering the matter as to what name should be given to the community. No decision should be made here which may affect the conclusions that may be arrived at by the Select Committee on this matter. From the evidence given before the Select Committee it appears that they are called by both the names. One section wants them to be called by the name of Kammalas and another section by the name of Viswakarmas.

PRESIDENT: There is some kind of feeling with regard to the name 'Kammala' that it is derogatory to the dignity of the community. Judging from the derivation of the word there is no need for any feeling. But some of the members of the community prefer them to be called by the name of Viswakarmas. So without prejudice to their feelings it may be said "Viswakarmas" or "Kammalas".

MR. KAVIYOOR K. K. KOCHUKUNJU: സർ, വർണ്ണവസമുദായത്തെ അതായതു്, (പതിയാൻ, വണ്ണാൻ, മണ്ണാൻ, ചായക്കാരൻ, or പാണ്ടിവണ്ണാൻ, എററാളി, പുറത്തോൻ, വേലൻ, നേയ്ത്തൻ, പരവൻ) എന്നിപ്രകാരം വിവിധപേരിൽ അറിയപ്പെടുന്ന ജനവിഭാഗത്തെ 'വർണ്ണവർ' എന്ന ഏകപേരിൽ പരിഗണിച്ചു പബ്ളിക്ക് സർവീസിൽ പ്രത്യേക പരിഗണന നല്കുന്നതിനു ദയവുണ്ടാകണമെന്നു ഈ സഭയോടും ബഹുമാനപ്പെട്ട ഗവർമ്മെൻറിനോടും അപേക്ഷിക്കുന്ന ഈ പ്രമേയം ഈ സഭയുടെ വിചിന്തനത്തിനു ഞാൻ അവതരിപ്പിക്കുന്നു.

സർ, ഈ രാജ്യത്ത് സർവ്വപ്രജകൾക്കും സർക്കാർ സേവനം ഉചിതമായി ലഭിക്കുന്നതിനുള്ള പ്രായോഗിക സാദ്ധ്യതകളുടെ നിർണ്ണയരീതികൾ ഉളളടക്കം ചെയ്ത് നീതിനിഷ്ഠയോടും പ്രജാക്ഷേമതല്പരതയോടുംകൂടി ബഹുമാനപ്പെട്ട ഗവർമ്മെൻറ് പൊതുജനതാല്പര്യപരിരക്ഷണാർത്ഥം ഏർപ്പെടുത്തിയിട്ടുള്ള പബ്ളിക്‌സർവീസ് വകുപ്പിൽ ഇന്നും ചില സമുദായങ്ങൾ അനുഭവിച്ചു പോരുന്ന അസമത്വാനുഭവസങ്കടങ്ങളെക്കുറിച്ചു വീണ്ടും വീണ്ടും പറയേണ്ടിവരുന്നതിൽ എനിക്കു അതിയായ വ്യസനമുണ്ട്.

MR. PADIYARA JOSEPH KUNJU : സെൻസസ് റിപ്പോർട്ടനുസരിച്ച് വർണ്ണവരുടെ ജനസംഖ്യ എത്രയാണ്?

MR. KAVIYOOR K. K. KOCHUKUNJU : സെൻസസ് റിപ്പോർട്ടിൻെറ മച്ചന്നു— മന്നൻ—എന്നീ വശങ്ങളിൽ വർണ്ണവരുടെ അവാന്തരവിഭാഗങ്ങളെയെല്ലാം ചേർത്തുപറയുന്നുണ്ട്. മെമ്പർ വായിച്ചു പഠിക്കണം.

MR. PADIYARA JOSEPH KUNJU : ൧൧൧൬-ലെ സെൻസസ് റിപ്പോർട്ട് ൧൩൦-ാം വകുപ്പു വണ്ണവർ എന്നറിയപ്പെടുന്നവരായി ൧൩൬ പേർ മാത്രമേയുള്ളു എന്നു പറഞ്ഞിട്ടുള്ള കഥ മെമ്പർക്കറിയാമൊ?

MR. KAVIYOOR K. K. KOCHUKUNJU : പതിയാൻ, വണ്ണാൻ തുടങ്ങിയ രജകവൃത്തിക്കാരായ വണ്ണവരുടെ സംഘമാകുന്ന സമസ്തതിരുവിതാംകൂർ വണ്ണവസമാജം, എന്നും ഈ അവാന്തരവിഭാഗങ്ങൾ എല്ലാം വർണ്ണവസമുദായക്കാരാണെന്നും അവരെ വണ്ണവസമുദായമായിട്ടുവേണം കരുതാനെന്നും സെൻസസ കമ്മീഷണർ റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുണ്ട്. കമ്പനി റെഗുലേഷനനുസരിച്ച് രജിസ്റ്റർ ചെയ്യപ്പെട്ട സമസ്തതിരുവിതാംകൂർ വണ്ണവസമാജത്തിൽ ൧൩൬ വണ്ണവർ മാത്രമല്ല ഉൾപ്പെട്ടിരിക്കുന്നതെന്നു ബഹുമാനപ്പെട്ട മി. പടിയറ ജോസഫ്കുഞ്ഞ് ദയവായി ധരിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

സർ, എന്നാൽ അന്നദാതാവായ പൊന്നുതമ്പുരാൻ തിരുമനസ്സിലേക്കും അവിടത്തെ നീതിമേറിയ ഗവർമ്മെൻറിൻെറ നേർക്കും ഹൃദയം നിറഞ്ഞു കരകവിഞ്ഞൊഴുകുന്ന നന്ദിയോടുംകൂടി ഒരുവക മിണ്ടാപ്രാണികളായി ജീവിച്ചുപോരുന്ന ഈ രാജ്യത്തെ അവശലക്ഷങ്ങളിൽപ്പെട്ട ചില സമുദായങ്ങൾ അസമത്വത്തിൻേറയും തിരസ്കരണത്തിൻേറയും ആധിക്യത്താൽ മൂർച്ചയും ബലവുമുള്ള വളഞ്ഞ പല്ലുകൾ

[Mr. Kaviyoor K. K. Kochukunju.]

ക്കിടയിൽപെട്ട അരയുമ്പോൾ ഹൃദയവേദനയോടുകൂടി പുറപ്പെട്ടുവിക്കുന്ന ദീർഘനിശ്വാസം മാത്രമാണിതെന്ന് കരുണയേറിയ ഗവൺമെൻറു ധരിക്കണമെന്ന് ഞാൻ ആഗ്രഹിക്കുന്നു. എന്തിൻെറ അനുഭാവംകൊണ്ട് എന്തിനുവേണ്ടി ഇപ്രകാരം ഒരു പബ്ളിക്ക് സവീസ് പദ്ധതി സമാരംഭിച്ചുവോ അതിൻെറ സാദ്ധ്യതകളും ഉദ്ദേശലക്ഷ്യവും എത്രകണ്ടു ഫലവത്തായിട്ടുണ്ടെന്നു പബ്ളിക്കുസവീസ് കമ്മീഷണർ അവർകളുടെ റിപ്പോർട്ടു നിഷ്പക്ഷഹൃദയത്തോടുകൂടി സൂക്ഷിച്ചു നിരീക്ഷണം ചെയ്യുന്ന ഏവക്കും മനസ്സിലാക്കുവാൻ സാധിക്കുന്നതാണ്. നീതിജ്ഞനായ ഒരു യൂറോപ്യൻെറ മേൽനോട്ടത്തിൽ നടത്തി വരുന്ന ഈ ഡിപ്പാർട്ടുമെൻറിൻെറ ഗുണദോഷനിരൂപണത്തിനൊരുമ്പെടുന്നതു അവശസമുദായങ്ങളെ സംബന്ധിച്ചിടത്തോളം പററിയ ഒരന്തരീക്ഷമാണിതെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ബഹുമാനപ്പെട്ട ഗവൺമെൻറിൻെറ സദുദ്ദേശം സഫലമാകുന്നതിനു അധികാരികൾ അറിഞ്ഞോ അറിയാതെയോ വിഘാതമായി നില്ക്കുന്ന ഒന്നുരണ്ടു സംഗതികൾ ഗവൺമെൻറിൻെറയും ഈ സഭയുടേയും ശ്രദ്ധയിൽ കൊണ്ടുവരണമെന്നു മാത്രമേ ഞാൻ ഉദ്ദേശിക്കുന്നുള്ളു. ഈ രാജ്യത്തു ൭൦-ൽ പരം സമുദായങ്ങൾ ഉള്ളതായി സെൻസസ റിപ്പോർട്ടുകൊണ്ടു അറിയാൻ കഴിയും പബ്ളിക്കുസവീസ് വകുപ്പിലും മററു ഗവൺമെൻറു പൊതുസ്ഥാപനങ്ങളിലും പ്രത്യേകപരിഗണന നൽകിയിട്ടുള്ളതായി അതിൽ ഏകദേശം ൧൨ സമുദായങ്ങൾ മാത്രമാണുള്ളത്. ബാക്കിയുള്ളതിൽ ഏതാനും ജാതിഹിന്ദുക്കളും പോയാൽ പിന്നെ ഒരു ഗണ്യമായ സംഖ്യ മററു ഹിന്ദുക്കളും മററു ക്രിസ്ത്യാനികളും എന്ന വകുപ്പിൽ ഉൾപ്പെടുത്തിയിരിക്കയാണ്. മററു ഹിന്ദുക്കൾ ഏകദേശം ൪൦-ൽ പരം ന്യൂനപക്ഷഹിന്ദുസമുദായങ്ങളുടെ ഒരു സങ്കലനമാണു. ഈ വിഭാഗത്തിൽ എണ്ണംകൊണ്ടു കുറഞ്ഞവരെങ്കിലും വിദ്യാഭ്യാസം, ധനസമ്പുഷ്ടമസ്ഥിതി, സാമുദായികസ്ഥിതി എന്നിതുകളിൽ വിജയത്തിൻെറ പരമോന്നത ശൃംഗത്തിൽ എത്തിയിട്ടുള്ള ചില സമുദായങ്ങളും ഉണ്ട്. പബ്ളിക്കുസർവീസിൽ സമുദായപ്രാതിനിദ്ധ്യമനുസരിച്ചു ഉദ്യോഗവിതരണം ചെയ്യുന്നതു ലോവർ ഡിവിഷനിൽ മാത്രമാണു. അൻപതിൽപരം നിയമനങ്ങൾ ഉണ്ടാകുമ്പോൾ ഏകദേശം ൧൪ ലക്ഷത്തോളം വരുന്ന മററു ഹിന്ദുക്കൾക്കു ൪ ഉദ്യോഗമാണ് വ്യവസ്ഥചെയ്തിരിക്കുന്നതായി അറിയുന്നതു്. അവിടെയും അക്കി

ഗ് ലിസ്റ്റിൽ പെട്ടിട്ടുള്ളവൎക്കു മുൻഗണന നൽകിയിരിക്കയാണ്. കരുണയുള്ള ഗവൺമെൻറിൻെറ ഉള്ളഴിഞ്ഞ സഹായങ്ങൾ സമീപകാലത്തു അവശസമുദായങ്ങൾക്കു ലഭിച്ചു് പുതുക്കെ ചില താണതരം പരീക്ഷാവിജയംമാത്രം സിദ്ധിച്ചു മുന്നോട്ടുവരുന്ന അവശസമുദായങ്ങളിലെ ഉദ്യോഗാൎത്ഥികൾക്കു് നേരത്തെ വിദ്യാഭ്യാസസൌകൎയ്യം ഉണ്ടായിട്ടുള്ളവരും സർവീസിൽ ക്രമാതീതമായി പ്രവേശിക്കുവാൻ സൗകൎയ്യം ഉണ്ടായിട്ടുള്ളവരുമായ സമുദായങ്ങളിലെ ഉദ്യോഗാൎത്ഥികളെ അധഃകരിച്ചു് മുന്നോട്ടുപോകുവാൻ ഒരുകാലത്തും സാദ്ധ്യമല്ല. അതിനാൽ ആക്കിംഗ് ലിസ്റ്റിൽ പെട്ടിട്ടുള്ളവൎക്കു മുൻഗണന വച്ചിരിക്കുന്നതു, ഇദംപ്രഥമമായി വിദ്യാഭ്യാസം ചെയ്തു മുന്നോട്ടുവരുന്നവരും മററു ഹിന്ദുക്കൾ എന്ന വകുപ്പിൽ ഉൾപ്പെട്ടിട്ടുള്ളവരുമായ അവശസമുദായത്തിലെ ഉദ്യോഗാർത്ഥികൾക്കു സർവീസിൽ പ്രവേശിക്കുവാൻ സാരമായ പ്രതിബന്ധമാണെന്നും ഈ സംസ്ഥാനത്തെ പിന്നോക്കസമുദായങ്ങളുടെ വിദ്യാഭ്യാസപുരോഗതിയെ സാരമായി സ്പർശിക്കുന്നതാണെന്നും ഉള്ള പരമാൎത്ഥം ഞാൻ ഹൃദയവേദനയോടുകൂടി കരുണയേറിയ ഗവൺമെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നു. സർവീസ് കമ്മീഷണർ നിയമിക്കുന്ന ആളുകളെ പിരിച്ചുവിടുവാൻ പാടില്ലെന്നും ചില ഡിപ്പാർട്ടുമെൻറു മേധാവികൾക്കു ചെറിയ ഒഴിവുകളിൽ നിയമനം നടത്താൻ അധികാരമുണ്ടെന്നും മററും ഈയിടെ ചില ഭേദഗതി ഉണ്ടായിട്ടുള്ളതായി അറിയുന്നു. ഇതിൽനിന്നും മനസിലാക്കാവുന്നതു് നേരത്തെ ആക്കിംഗ് സർവീസിൽ പ്രവേശിച്ചിരുന്നവരുടെ സംഖ്യ കുറഞ്ഞു തുടങ്ങിയെന്നും പ്രവേശിച്ചവർക്കു് സർവീസിൽനിന്നും വിട്ടുനിൽക്കുവാൻ ഇടവരുത്തെന്നും മാത്രമാണ്. ഈ നയവും മററു ഹിന്ദുക്കളിൽ ലയിച്ചുകിടക്കുന്ന പിന്നോക്കസമുദായങ്ങളിലെ ഉദ്യോഗാൎത്ഥികൾക്കു സർവീസിൽ പ്രവേശിക്കുന്നതിനു പ്രതിബന്ധംതന്നെയാണ്.

ആകയാൽ ബഹുമാനപ്പെട്ട ഗവൺമെൻറു് ഒരു ഗണ്യജനവിഭാഗങ്ങൾ അടങ്ങിയ മററു ഹിന്ദുക്കൾക്കു പബ്ളിക്കുസർവീസിൽ ഉണ്ടായിക്കൊണ്ടിരിക്കുന്നതും മേലാൽ ഉണ്ടാകാവുന്നതുമായ എല്ലാ സങ്കടങ്ങളിൽനിന്നും മോചനം സിദ്ധിക്കുന്നതിനു അനുയോജ്യമായ ഒരു പദ്ധതി അംഗീകരിക്കുന്നതിനു ദയവുണ്ടാകണമെന്നു ഞാൻ അപേക്ഷിക്കുകയും ജനസംഖ്യയിൽ ൻവൃമ്പന്നുവൃ ഉള്ള വർണ്ണവസമുദായത്തെ മററു് ഹിന്ദുക്കൾ എന്ന വകുപ്പിൽനിന്നും വേർപെടുത്തി പബ്ളിക്ക്സർവ്വീസിൽ പ്രത്യേക പരിഗണന നൽകുന്നതിന് ദയവുണ്ടാകണമെന്ന് അപേക്ഷിക്കുകയും ചെയ്യുന്നു.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, the fact is that, in this country, there are a number of communities, Thandans, Wooralis, Valans, Vannans and others, doing the same work but called differently in different places. During the census in the absence of proper organisation amongst these people, when the enumerators went and asked them they gave their local name. In the interest of solidarity among these people, I would gladly welcome Mr. Kochukunju's suggestion. I have absolutely no objection to that if Government would classify all these people into one community. Unfortunately there is no such classification as yet.

In my resolutions, two seats have been set apart for backward Hindus. If Government would decide that the Varnavars should be treated as a separate community, I have no objection in setting apart one of those two seats to them. As it is, I am not in a position to do anything, since, in the official records, these people have not been classified as one community.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Is the member aware of Valan Samajam, Thandan Samajam and other such associations of these people?

MR. KAINIKKARA M. PADMANABHA PILLAI : Yes.

PRESIDENT ; That is a matter for investigation by Government. I do not think an amendment is called for just now.

MR. C. JEBAMONY NADAR I oppose the resolution. The basis adopted for allocating the number of appointments for the various communities, namely, one seat for one lakh of people has not been uniformly followed by the honourable mover. If he adhered to this principle he ought to have given at least 4 seats to those whom he classified as other Hindus and Caste Hindus. For the population of the Hindu communities, who have been specifically classified come to 26·8 lakhs, so that the balance of 4 lakhs represents the other Hindus and Caste Hindus to whom my friend has allotted only 3 posts. But, for their number, they are entitled to 4. So four posts must be set apart for them. Of course they belong to the minority communities. That has not been done; thus the Honourable member has followed different rules with regard to the Majority Communities and Minority Communities even within the Hindu fold. The Majority Communities get more at the cost of the minority communities. In view of my early speeches I am not urging any other point for the time being.

MR. KODIVEETIL C. RAMANKUNJU (*Nominated*): സർ, 'അദർഹിന്ദുസ്' എന്ന വിഭാഗത്തിലുൾപ്പെട്ട സമുദായക്കാർ മൂന്നുലക്ഷത്തോളം ജനസംഖ്യയുള്ളതും വിദ്യാഭ്യാസത്തിലും പബ്ലിക്ക് സർവീസിലെ പ്രാതിനിധ്യത്തിലും വളരെ പിന്നോക്കം നിൽക്കുന്നവരും ആകുന്നു. അവർ സമാധാനപരമായി രാജഭക്തിയോടുകൂടി ഗവണ്മെന്റിന്റെ രക്ഷയെ മാത്രം ലക്ഷ്യമാക്കി ജീവിക്കുന്നു. അവരുടെ സംഗതിയിൽ എപ്പോഴും

ഗവമ്മെൻറിൻെറ ശ്രദ്ധ പതിയേണ്ടതാണ്. ഹിന്ദുക്കൾക്ക് ൩൫ ഉദ്യോഗങ്ങൾ നീക്കിവച്ചിട്ടുള്ളതിൽ ഈ വിഭാഗക്കാൎക്ക് നീക്കിവച്ചിട്ടുള്ള ഉദ്യോഗങ്ങളുടെ എണ്ണം വളരെ കുറവാണ്. ഈ വിഷയത്തെപ്പററി കാൎയ്യമായി പൎയ്യാലോചിച്ച് ഈ പ്രമേയം ഗവമ്മെൻറിൻെറ ആലോചനയ്ക്കു വിഷയമാകുമ്പോൾ അവശസമുദായക്കാരുടെ കാൎയ്യം പ്രത്യേകമായും പരിഗണിച്ച് ഗവമ്മെൻറ പ്രവൎത്തിക്കേണ്ടതാണ്. പുലയർ, ചേരമർ, പറയർ മുതലായവർ വിദ്യാഭ്യാസത്തിൽ വളരെ താണനിലയിലുള്ളവരാകയാൽ ഉദ്യോഗത്തിനു യോഗ്യതയുള്ള ആളുകൾ ആ സമുദായങ്ങളിൽനിന്നും കിട്ടിയില്ലാ എന്നു വന്നേക്കാം. പിന്നോക്ക സമുദായത്തിലെ ഒരു വിഭാഗത്തിന്നു നിശ്ചയിച്ചിട്ടുള്ള ഉദ്യോഗത്തിനു യോഗ്യതയുള്ള ആളുകൾ ആ സമുദായത്തിൽ ഇല്ലാതിരിക്കുന്നുവെങ്കിൽ ആ ഉദ്യോഗം അമിതപ്രാതിനിധ്യമുള്ളവർ എടുക്കാതെ അതുപോലെ അവശനിലയിലിരിക്കുന്ന മറെറാരു സമുദായത്തിലെ അംഗങ്ങൾക്ക് കൊടുക്കേണ്ടതാണ്.

MR. A. K. KUMARAN VAIDYAN: യോഗ്യതയില്ലാത്ത ആളുകൾക്ക് ഉദ്യോഗം കൊടുക്കണമെന്നാണൊ മെമ്പറുടെ അഭിപ്രായം?

MR. KODIVEETIL C. RAMAN KUNJU: അല്ല.

പബ്ളിക്ക്സർവീസ് കമ്മീഷണർ ൫൦ ശതമാനം ഉദ്യോഗങ്ങൾ റിസർവേഷനായി അവശസമുദായക്കാൎക്ക് നീക്കിവച്ചിട്ടുണ്ട്.

MR. P. S. MAHOMED ; പബ്ളിക്ക്സർവീസ് കമ്മീഷണർ ൫൦ ശതമാനമെ നീക്കിവച്ചിരുന്നുള്ളു. ഇപ്പോൾ ഈ പ്രമേയം അനുസരിച്ച് ൧൦൦ ശതമാനവും നീക്കിവച്ചിട്ടുണ്ടെന്നുള്ള കഥ മെംബർക്ക് അറിയാമോ?

MR. KODIVEETIL C. RAMAN KUNJU: കാമ്പെററീഷനിൽ വിജയം കിട്ടാൻ വളരെ പ്രയാസമാണ്. ഏതായാലും ഈ പ്രമേയത്തിന്മേൽ ഗവമ്മെൻറ് ഉത്തരവു പാസാക്കുമ്പോൾ ബാക്ക്വേഡ് കമ്മ്യൂണിററിയുടെ രക്ഷയ്ക്കുവേണ്ടി കൂടുതൽ കരുതൽ ചെയ്യണമെന്നു ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു.

MR. KAINIKKARA M. PADMANABHA PILLAI : I have nothing to say Sir.

The resolution was put to vote and carried.

MR. C. JEBAMONY NADAR : I demand a poll.

A poll was taken and the House divided as follows

AYES—46.

1 Mr. Kottalil P. Abraham
2 ,, P. C. Adichan
3 Sahib Bahadur V. Chandamiah
4 Mr. M. L. D'Cruz
5 Srimathi K. Devaki Antharjanam
6 Mr. K. Dominic Joseph
7 ,, E. E. Pandarathil
8 ,, D. Francis
9 ,, K. G. Govindan
10 ,, S. Govinda Pillai
11 ,, Kannanthodath Janardanan Nair
12 ,, N. John Joseph
13 ,, Padiyara Joseph Kunju
14 ,, Joseph Vithayathil
15 ,, K. C. Karunakaran
16 ,, Menatheri N. Kesava Panikkar
17 ,, T. C. Kesava Pillai
18 ,, T. T. Kesavan Sastri
19 ,, Kaviyoor K. K. Kochukunju
20 Thamarappallil Kochuthommen
21 ,, N. R Krishnan
22 ,, A. K. Kumaran Vaidyan
23 ,, Thariathu Kunjithommen
24 ,, P. Kunjukrishnan
25 Mr. Murukkumpuzha V. Kunjukrishnan
26 ,, K. G. Kunjukrishna Pillai
27 ,, K. Kunju Panickar
28 ,, Warkala K. Madhavan
29 Sahib Bahadur M. K. Mackar Pillai
30 ,, H. O. L. Marikar
31 Mr. P. V. Mathai Chemparathy
32 Sahib Bahadur P. S. Muhammed
33 Mr. K. Narayanaperumal Nadar
34 ,, S. Narayana Pillai
35 ,, P. Narayana Pillai
36 ,, K. R. Narayanan
37 ,, R. Narayanan Nambootiri
38 Srimathi T. Narayani Amma
39 Mr. Kainikkara M. Padmanabha Pillai
40 ,, N. Ramakrishna Pillai
41 ,, Kodiveetil C. Ramankunju
42 ,, P. Sivarama Pillai
43 ,, Puliyoor T. P. Velayudhan Pillai
44 ,, N. Velu Achari
45 ,, G. Velu Pillai
46 ,, P. Vivekanandam

NOES—1.

Mr. C. Jebamony Nadar.

NEUTRALS—6.

1 Mr. S. Chattanatha Karayalar
2 ,, K. P. Kochukora Tharakan
3 ,, S. Krishna Aiyar
4 Mr. J. E. A. Pereira
5 ,, M. Sivathanu Pillai
6 ,, J. W. Tolson

The official members did not take part in the voting.

Resolution No. 10.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution :—

"The Hindu vacancies in the rotation shown in clause 8 may be filled up in the order shown below :—"

1	Pulaya (Cheramar)	17	Nadar
2	Nadar	18	Paraya (Sambavar)
3	Ezhava	19	Ezhava
4	Nair	20	Nair
5	Kurava	21	Kammala (Visvakarma)
6	Brahmin	22	Ezhava
7	Kammala (Visvakarma)	23	Nair
8	Ezhava	24	Other forward Hindu
9	Nair	25	Ezhava
10	Pulaya (Cheramar)	26	Nair
11	Ezhava	27	Other backward Hindu
12	Nair	28	Ezhava
13	Vellala	29	Nair
14	Other backward Hindu	30	Ezhava
15	Ezhava	31	Nair
16	Nair		

N. B.—After every two non-Malayala Brahmins one Malayala Brahmin must be appointed."

MR. K. KUNJU PANICKAR: I second it.

The resolution was put to vote and carried.

Resolution No. 11.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution :—

"Christians may be sub-divided into the following communities and each sub-section given the number of appointments noted against it :—

1	Syrian Catholics ...	5	5	S. I. U. Church ...	1
2	Latin Catholics ...	4	6	Anglicans ...	1
3	Jacobite Syrians ...	3	7	Other Christians ...	1
4	Marthomites ...	1			

MR. PADIYARA JOSEPH KUNJU: I second it.

MR. C. JEBAMONY NADAR: I oppose the resolution for the simple reason there is no such community as 'Anglicans.'

MR. KAINIKKARA M. PADMANABHA PILLAI: There *is*; on the other hand, there is no such community as S. I. U. Church.

MR. N. JOHN JOSEPH (*Nominated*): സർ, സമുദായവിഭജനത്തിൽ അവശക്രിസ്ത്യാനികൾക്ക് ഉദ്യോഗം കിട്ടത്തക്കവിധത്തിൽ അവരെ വേർതിരിച്ചു വ്യവസ്ഥചെയ്തിട്ടില്ല. അവശക്രിസ്ത്യാനികൾ മൂന്നുലക്ഷത്തിൽ പരമുണ്ട്.

സർ, സിറിയൻകത്തോലിക്ക്, ലാററിൻകത്തോലിക്ക് ഇങ്ങനെയുള്ള സഭകളെയാണ് സാമുദായമായി പരിവർത്തനം ചെയ്യുകാണുന്നത്. അവരെല്ലാംകൂടി ൧൬ ലക്ഷം ജനങ്ങൾ ഉണ്ട്. സമുദായവിഭജനത്തെപ്പററി സവിസ്തരം ഇന്നലെ ഞാൻ പ്രതിപാദിക്കയും അവശക്രിസ്ത്യാനികളെ വേർതിരിച്ച് പ്രത്യേകം ഒരു സമുദായമായി ഗണിക്കത്തക്കവണ്ണം ഞാൻ ഒരു മെമ്മോറിയൽ സമർപ്പിക്കാമെന്നു പറയുകയും ചെയ്തിരുന്നു. ആ മെമ്മോറിയലിലെ താല്പര്യമനുസരിച്ച് ഗവൺമെൻറ ദയവായി പ്രവർത്തിക്കണമെന്ന് ഞാൻ അപേക്ഷിക്കുന്നു.

PRESIDENT: At present, these depresssed class Christians are included under various other denominations; the honourable member will have to concede that, among the categories provided for by the mover there are persons belonging to the communities which the honourable member has in mind. Until a complete sub-classification is made, it will be difficult to do anything more. Government will bear in mind the points raised by the honourable member.

MR. N. JOHN JOSEPH: എൻെറ താഴ്മയായ അപേക്ഷ ഗവൺമെൻറ ഈ കാര്യത്തിൽ പ്രത്യേകം ശ്രദ്ധിക്കണമെന്നുള്ളതാണ്. സമുദായവിഭജനം ചെയ്യുമ്പോൾ അവശക്രിസ്ത്യൻ സമുദായത്തെ പ്രത്യേകം വേർതിരിക്കണം. അവശക്രിസ്ത്യാനികളെ പ്രത്യേകം വേർതിരിച്ച് ഒരു സമുദായമായി എണ്ണണമെന്നുള്ളതിൻെറ തത്വത്തെ ഗവൺമെൻറ സ്വീകരിച്ചതിൽ ഞാൻ നന്ദി പ്രദർശിപ്പിക്കുന്നു.

The resolution was put to vote and carried.

Resolution No. 12.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution :—

The Christian vacancies in the rotation shown in clause 8 may be filled up in the order shown below :—

1	Anglican	9	Syrian Catholic
2	Jacobite Syrian	10	Jacobite Syrian
3	Latin Catholic	11	Latin Catholic
4	Syrian Catholic	12	Syrian Catholic
5	Jacobite Syrian	13	S. I. U. Church
6	Latin Catholic	14	Marthomite
7	Syrian Catholic	15	Latin Catholic
8	Other Christians	16	Syrian Catholic

MR. PADIYARA JOSEPH KUNJU: I second it.

The resolution was put to vote and carried.

Resolution No. 13.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution:—

"There shall be a Public Service Commissioner who will be an officer of high status."

MR. K. KUNJU PANICKAR: I second it.

MR. K. NARAYANAPERUMAL NADAR: I oppose the resolution. It does not say as to whether the Public Service Commissioner should be a Travancorean or not. As a matter of principle, I am in favour of Travancore for Travancoreans. But, in the case of the Public Service Commissioner, I prefer an outsider. In the *Hindu* dated the 20th January, I read certain news about the new Public Service Commissioner for Mysore. I shall read it for the information of the House.

> "After examination of the working of the Public Service Commissions in various Provinces, the Mysore Government have come to the conclusion that it is not necessary for Mysore to have an expensive Public Service Commission and have, therefore, decided that the entire work and responsibility might well be entrusted to one individual officer of high status who could command the confidence of the public. For this it is necessary that such an officer should not be accused of local bias and that he should be free from local influence, to deal with questions that might come up before him in all their aspects. Under these circumstances, the Government have considered it necessary that the first appointment to the post of a Public Service Commissioner should go to an outsider."

MR. PADIYARA JOSEPH KUNJU: മി. നാടാർ ഹിന്ദു മുഴുവനം വായിച്ചു തീൎക്കാൻ പോകയാണോ?

PRESIDENT: Honourable member is imparting information which he got from the *Hindu*.

MR. K. NARAYANAPERUMAL NADAR: I did it only with the permission of the Chair.

Sir, if we are going to have as Public Service Commissioner an officer of high status, I do not think there is any necessity for an advisory board. If however it is decided that a board is necessary, I submit that the claims of the Nadars for a seat on the board should be considered; because, the Nadars are the third biggest Hindu community in the State, although their population was under-enumerated in the last census, and a good many of them are being snatched away by the Christian missionaries.

MR. THARIATHU KUNJITHOMMEN : സർ, മി. നാരായണപ്പെരുമാൾ നാടാരുടെ ഭേദഗതിയെ ഞാൻ എതിക്കുന്നു. തിരുവിതാംകൂറിലെ പ്രജാവിഭാഗങ്ങളിൽ നിന്നുതന്നെ ഒരാളെ പബ്ലിക്ക സർവീസ് കമ്മീഷണരായ നിയമിക്കണമെന്നാണ് എൻെറ അഭിപ്രായം. എന്തുകൊണ്ടെന്നാൽ ഇവിടത്തെ സ്ഥിതിഗതികളും സമുദായങ്ങളുടെ നിലയും ഉദ്യോഗങ്ങളുടെ അവസ്ഥയും അറിയാവുന്ന ഒരാൾ പബ്ലിക്ക്സർവീസ് കമ്മീണരായിരുന്നാൽ വലിയ അബദ്ധം പററാൻ ഇടയില്ല. സദുദ്ദേശമുള്ളവക്കും കാര്യങ്ങളുടെ സ്ഥിതിഗതികൾ അറിവാൻ സാധിക്കാതെ വരുന്ന പക്ഷം പല അബദ്ധങ്ങളുംവരും. പല അബദ്ധങ്ങളുടേയും അനീതിയുടേയും ആവേശസ്ഥാനമാണ് ഇന്നത്തെപബ്ളിക്ക്സവ്വീസ്കമ്മീഷണരുടെ ആഫീസ് എന്ന് ഇന്നുതന്നെ ചോദ്യങ്ങളുടെഉത്തരങ്ങളിൽനിന്നും ഈ സംഗതി വെളിവാകും. എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിൽ ഹിന്ദുക്കൾക്കുനാലും ക്രിസ്ത്യാനികൾക്കു ഏഴും ഉദ്യോഗങ്ങൾ കൊടുത്തതായികാണുന്നു. ക്രിസ്ത്യാനികൾക്കു കൊടുത്ത ഏഴിൽ ആറുദ്യോഗവും എസ്. ഐ. യു. സി. വിഭാഗത്തിൽ പെട്ടവർക്കാണ് കിട്ടിയിട്ടുള്ളത്. അവക്കു ൨൪൭ ഉദ്യോഗം എഡ്യൂക്കേഷൻ വകപ്പിൽ തന്നെയുണ്ട്. എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിൽ ൨൭൦ ക്ലാക്കുന്മാരുള്ളതിൽ ഒരു വമ്പിച്ച ജനവിഭാഗമായ സിറിയൻകത്തോലിക്കരിൽ നിന്നു ഒരു ക്ലാക്കുപോലുമില്ല. എന്നിട്ടും അവക്ക് ഒന്നുംനൽകിയില്ല. ഇങ്ങനെയുള്ള ഭീമമായ അബദ്ധങ്ങൾ പററാതിരിക്കണമെങ്കിൽ പബ്ളിക്ക് സവ്വീസ് കമ്മീഷണർ നാട്ടുകാരനായിരിക്കണം.

PRESIDENT : Is it the honourable member's contention that, if the Public Service Commissioner had been a Travancorean, though belonging to one of the over represented communities, what he now complains of would not have happened?

MR. THARIATHU KUNJITHOMMEN : പബ്ളിക്ക് സർവീസ് കമ്മിഷണർ നാട്ടുഭാഷ അറിയാവുന്ന ഒരാളായിരുന്നാൽ ഞങ്ങൾ ഇവിടെ നടത്തുന്ന വിമർശനങ്ങളെ മനസ്സിലാക്കി തെററു തിരുത്തി ശരിപ്പെടുത്തുവാൻ സാധിക്കുമായിരുന്നു. സമുദായവിഭാഗങ്ങളൊന്നുമില്ലാത്ത ഒരു രാജ്യത്തുനിന്നും വന്ന ആളാണ് ഇപ്പോഴത്തെ പബ്ളിക്ക് സർവീസ് കമ്മീഷണർ. അതുകൊണ്ടാണ് ഈ അബദ്ധങ്ങളെല്ലാം പററിയതും. രണ്ടുവശവും കണ്ണുകൾ മറച്ച ജഡ്കാകുതിരപോലെയാണ് പുറത്തുനിന്നും വരുന്ന ചില ഉദ്യോഗസ്ഥന്മാർ. അവക്കു രണ്ടു വശവും കാണാൻ വയ്യ; കണ്ണുകെട്ടിനയിക്കുമ്പോൾ നയിക്കുന്ന ആളിൻെറ പോക്കനുസരിച്ചു പോകാൻ സാധിക്കയുള്ളു. കണ്ണുകെട്ടാതിരുന്നാൽ നോക്കി പൊയ്ക്കൊ

ള്ളൂമായിരുന്നു. ഈ രാജ്യത്തെ ഒരു വമ്പിച്ച ജനവിഭാഗമായ സിറിയൻ കത്തോലിക്കർക്ക് മി. നോക്സിന്റെ ആഫീസിൽ നിന്ന് അനീതിയും സങ്കടവും മാത്രമാണ ലഭിച്ചത്. ഇങ്ങനെയുള്ള ദോഷങ്ങളെ പരിഹരിക്കുന്നതിന ഒരു നാട്ടുകാരനെത്തന്നെ പബ്ളിക്കസർവീസ് കമ്മീഷണരായി നിയമിക്കണം. നാട്ടുകാർക്ക ആഫീസ്കാരിൽ നിന്ന ചതിവുപററാനിടകമിടയില്ല.

MR. N. VELU ACHARI. സർ, മി. നാരായണപ്പെരുമാൾനാടാർ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ഭേദഗതിയെ ഞാൻ പ്രതികൂലിക്കുന്നു. ഇവിടെ വലുതും ചെറുതുമായ ഡിപ്പാർട്ടുമെൻറുകളെ ഉപദേശിക്കുന്നതിന പലകമ്മററികളും പല അഡൈ്വസറി ബോർഡുകളും ഉണ്ട. അവകളിലെല്ലാം മിക്കവാറും എല്ലാജാതിക്കാർക്കും പ്രാതിനിധ്യം കൊടുത്തിട്ടുണ്ട്. ഈ രാജ്യത്തുള്ള സർവീസിൽ വിവിധജാതിമതസ്ഥരും ഭിന്നാഭിപ്രായങ്ങളും വിഭിന്നതാല്പയ്യങ്ങളുമുള്ള ജനങ്ങൾ ഉൾപ്പെട്ടിരിക്കുന്നതുകൊണ്ട് ഒരു പബ്ളിക്ക് സർവ്വീസ് അഡൈ്വസറി ബോർഡ് കൂടിയേ തീരൂ എന്ന് ഞാൻ അഭിപ്രായപ്പെടുന്നു.

സർ, ഇവിടെ വലിയ സമുദായങ്ങൾ തമ്മിൽ സർവീസ് ലാഭത്തിന മത്സരിച്ചുമത്സരിച്ച ചെറിയ ചെറിയ സമുദായങ്ങളെ ഞെക്കിഞെരുക്കുന്നപതിവ് ഇന്നും ഇന്നലെയും ഉണ്ടായതല്ല. ആയതിനാൽ ഇവിടെ വലിയ അസ്വസ്ഥതയുണ്ടാകുന്ന പബ്ളിക്ക് സർവിസ് അഡൈ്വസറി ബോർഡിൽ ഒന്നോ രണ്ടോ ലക്ഷത്തിന് മേൽ ജനസംഖ്യയുള്ള എല്ലാ സമുദായങ്ങളിൽനിന്നും പ്രതിനിധികൾ ഉണ്ടായിരിക്കണം. എന്നു മാത്രവുമല്ല പബ്ളിക്ക്സർവീസ് കമ്മീഷണർ ഒരു നാട്ടുകാരൻതന്നെയായിരിക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടിഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. ഇപ്പോഴത്തെ കമ്മീഷണർ ഒരു മഹാനും ന്യായസ്ഥനും ആണെന്നുള്ളതിന സംശയമില്ല. പക്ഷേ ഇവിടെ എല്ലാവർക്കും ഇംഗ്ലീഷ് പരിജ്ഞാനമില്ല അങ്ങനെയുള്ളവർക്കും കാര്യങ്ങൾ പറഞ്ഞ് മനസിലാക്കുന്നതിന ഒരു നാട്ടുകാരനായ കമ്മീഷണർ ഉണ്ടായിരുന്നാൽ കൂടുതൽ സൌകര്യമുണ്ടായിരിക്കുമെന്നോർക്കേണ്ടതാണ്.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): നാട്ടുകാരിൽ ഏതു ജാതിയിൽപെട്ട ആളാണ വേണ്ടത്?

MR. N. VELU ACHARI: ഒരു ബ്രാഹ്മണനായാൽ കൊള്ളാമെന്നാണെന്റെ അഭിപ്രായം.

PRESIDENT: As the question has been raised, it would be of assistance to Government to know whether the House as a whole would favour, for the Public Service Commissioner's post, an outsider who does not belong to any of the communities referred to here, or a Travancorean. Government would like to have guidance on the matter; because these resolutions are being adopted more or less as a result of mutual agreement between the parties concerned.

(The question whether the House would prefer a Travancorean or a non-Travancorean for the post of Public Service Commissioner, was put to vote. The majority voted in favour of a Travancorean.)

MR. T. C. KESAVA PILLAI: I demand a poll.

PRESIDENT: It will be remembered that these resolutions are merely advisory, and Government are not absolutely bound by the vote. In any case Government realise that the majority of the votes are in favour of having a Travancorean for the post. The request for poll is a bit too late.

The resolution was put to vote and carried.

Resolution No. 14.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg to move the following resolution:—

> "There shall also be an advisory committee consisting of not more than 6 non-official members consisting of a Nair, an Ezhava, a backward class Hindu, a Catholic, a non-Catholic Christian and a Muslim, to advice the Commissioner."

MR. K. KUNJU PANICKAR: I second it.

MR. KANNANTHODATH JANARDANAN NAIR: I support the motion. But, I would suggest an amendment The resolution as it is, suggests a purely nominated board. My suggestion is that it should be partly nominated and partly elected, two members elected by this House and one by the other, and the remaining 3 nominated by Government. The interest of backward and minority communities will be represented on the board by these elected representatives, since it is this House and the Upper House which are composed also of members of the minority communities and the backward classes, that are to elect representatives to the board. As long as it is conceded that backward and minority communities are adequately represented in these Houses, the representative elected will either be one among themselves or be one with the full approval of the representatives of such communities.

When I made this suggestion yesterday to a few of my colleagues, they raised the apprehension that such a partly elected board would easily get corrupt. Sir, if that is the argument forwarded, if the introduction of the popular element in such bodies would only enhance corruption instead of retarding it, that will clearly prove that we are not entitled to any kind of responsibility whatsoever. Moreover the powers of the committee are purely advisory.

The motion as amended by me runs as follows :—

"There shall also be an advisory committee consisting of not more than 6 non-official members of whom 2 will be elected by the Sri Mulam Assembly, 1 by the Sri Chitra State Council, and 3 nominated by Government, to advise the Public Service Commissioner."

MR. THARIATHU KUNJITHOMMEN : അഡ്വൈസറിബോർഡിലേക്കുള്ള മെമ്പർമാരെ പ്രതിനിധി സഭകളിൽനിന്നും തിരഞ്ഞെടുക്കേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. അവരെ ഗവണ്മെൻറു നാമിനേററു ചെയ്താൽ മതി.

MR. N. VELU ACHARI : സർ, ക്ലാസ്സ് ഫർ-ൽ അഡ്വൈസറിബോർഡിലെ മെംബർമാരെ നിയമിക്കേണ്ട സമുദായങ്ങളുടെ പേർ പറഞ്ഞിരിക്കുന്ന കൂട്ടത്തിൽ അതായതു് ഒരു നായർ, ഒരു ഈഴവ, ഒരു ബായ്ക്കുവേർഡ് ക്ലാസ്സ ഹിൻഡു, ഒരു കാത്തലിയ്ക്ക്, ഒരു നാൺകത്തലിയ്ക്ക്, ഒരു മുസലിം എന്നുള്ളതു കഴിഞ്ഞു ഒരു "വിശ്വകർമ്മ" എന്നുകൂടി ചേർത്താൽ കൊള്ളാമെന്നാണ് എൻെറ അമെൻറുമെൻറു്. ഇവിടെ ഹൃദയവേദനയോടുകൂടിയാണു പല കാര്യങ്ങളും വീക്ഷിച്ചു പോരുന്നതെന്നു് ഞാൻ ഊന്നിപ്പറഞ്ഞുകൊള്ളട്ടെ. എൻെറ സമുദായം ഉദ്ദേശം രണ്ടരലക്ഷത്തോളം വരുന്ന ഒന്നാണു. ഈ രാജ്യത്തിനു ഐശ്വര്യം ഉണ്ടാക്കുന്നതിനു ഈ സമുദായം ഒരു പ്രധാനഭാഗം വഹിക്കുന്നു എന്നുള്ളതു ദയവായി ചിന്തിക്കേണ്ട ഒരു സംഗതിയാണ്. പ്രൈമറി എഡ്യൂക്കേഷൻ സംബന്ധിച്ചായാലും ഹയ്യർ എഡ്യൂക്കേഷൻ സംബന്ധിച്ചായാലും ഞങ്ങളുടെ സമുദായം പിന്നോക്കമല്ല. ഞങ്ങളുടെ സമുദായത്തിലുൾപ്പെട്ട പത്തുപന്ത്രണ്ടു് ബി. എ. ക്കാർ ഉദ്യോഗമില്ലാതെ അലഞ്ഞുനടക്കുന്നുണ്ടു. രാജ്യത്തിൻെറ പൊതുഐശ്വര്യത്തിനായി മുൻപുമുതലേ പ്രവർത്തിച്ചുവരുന്ന ഒരു ജനവിഭാഗമാണ് വിശ്വകർമ്മജർ.

സർ, ഈ സമുദായത്തെ സകലരും അവഗണിച്ചാണ് കാണുന്നതു. രാജ്യത്തെ ഐശ്വര്യസമ്പന്നമാക്കുന്നതിൽ എല്ലാ സമുദായത്തിനും പങ്കുണ്ടെങ്കിലും ഒന്നു കണ്ണോടിച്ചു നോക്കിയാൽ ഇവിടെ ഇരിക്കുന്ന യാതൊരു ബഹുമാനപ്പെട്ട മെമ്പറും ഇവരെ മാററിനിറുത്താൻ സാധിക്കയില്ല. ഇവിടത്തെ ചിത്രകലകൾക്കും, ക്ഷേത്രങ്ങൾക്കും, വിഗ്രഹങ്ങൾക്കും ഗൃഹങ്ങൾക്കും, മററു ഗൃഹോപകരണങ്ങൾക്കും ആയുധങ്ങൾക്കും എന്നല്ല എല്ലാററിനും കാരണഭൂതന്മാരാരാണെന്നു ഞാൻ ചോദിക്കുന്നു? ഈ വക കാര്യങ്ങൾക്കു ഇവരെ അധികരിച്ചു ഈ രാജ്യത്തു ആരും ഉണ്ടായിട്ടില്ല. എന്നാലിപ്പോൾ മററുള്ള സമുദായക്കാരും കരേററു കൈത്തൊഴിൽ തുടങ്ങിയതുകൊണ്ടു ഇവർക്കു തൊഴിൽ ചെയ്തു ഉപജീവിക്കാനും നിവൃത്തിയില്ലാതായിരിക്കുന്നു; അതിനാലാണ് പ

[Mr. N. Velu Achari.]

ാച്ചവക്കുദ്യോഗം ആവശ്യപ്പെടുന്നതു്. ഈ വിഷയത്തിൽ ഗവണ്മെൻറു ദയവായി ആലോചിച്ചു് ഞങ്ങളുടെ അവശത പരിഹരിച്ചു തരണമെന്നു അപേക്ഷിച്ചുകൊള്ളുന്നു. ഇവരുടെ കരകൌശലപ്രാമാണ്യം, ശാസ്ത്രപാണ്ഡിത്യം, വിദ്യാഭ്യാസനില, സംസ്കാരം ഇവയെല്ലാം നോക്കുന്നപക്ഷം മററു അവശസമുദായത്തെക്കാൾ വിശ്വകർമ്മ സമുദായം മെച്ചമാണ്. എന്നിട്ടും അവരുടെ അസമത്വം അകലുന്നില്ല. അതുകൊണ്ടു ഈ അഡ്വൈസറി ബോർഡിൽ ഒരു വിശ്വകർമ്മ മെംബറെക്കൂടി ഉൾപ്പെടുത്തേണ്ടതാണെന്നു ഞാൻ ബലമായി അഭിപ്രായപ്പെട്ടുകൊണ്ടു് എൻെറ അമൻറുമെൻറ് സ്വീകരിക്കണമെന്നു അപേക്ഷിക്കുന്നു.

MR. K. P. KOCHUKORA THARAKAN : വിവിധ സമുദായങ്ങളിലെ അംഗങ്ങൾ വേണമെന്നുള്ളപ്പോൾ നിയമസമിതികളിൽനിന്നു തിരഞ്ഞെടുക്കുന്നതെങ്ങനെ?

MR. KANNANTODATH JANARDANAN NAIR : ഞാൻ ഭേദഗതിചെയ്ത റസല്യൂഷൻ വായിച്ചതു ശ്രദ്ധിച്ചു കേട്ടിരുന്നുവെങ്കിൽ ഈ സംശയത്തിനിടവരികയില്ലായിരുന്നു. ഇന്ന കമ്മ്യൂണിററിയിൽ നിന്നു ഇലക്ടുചെയ്യണമെന്നു ഞാൻ പറഞ്ഞിട്ടില്ല.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Has the honorable member any objection in having all the members of the committee elected by the non-officials of the Legislature?

MR. KANNANTHODATH JANARDANAN NAIR : I would only be to glad to accept such a gracious offer.

MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertalai*) : I second it.

MR. THARIATHU KUNJITHOMMEN : സർ, അഡ്വൈസറി ബോർഡിലേക്കുള്ള അംഗങ്ങളെ കൗൺസിലിൽ നിന്നും അസംബ്ളിയിൽനിന്നും തിരഞ്ഞെടുക്കുന്ന തത്വം നല്ലതാണെന്നു പറയാം. എന്നാൽ പ്രയോഗത്തിൽ അതു ദോഷമായിവരും. ഈ മെംബർമാർ എന്തെങ്കിലുംഒരു തെററുകാണിച്ചു എന്നു ഗവണ്മെൻറിനോടു പരാതിപറയുമ്പോൾ ഗവണ്മെൻറു, 'ഇവർ ഗവണ്മെൻറു നിയമിച്ചവരല്ലാ, കൗൺസിലിൽ നിന്നും അസംബ്ളിയിൽനിന്നും തിരഞ്ഞെടുത്തവരാണ്' എന്നു സമാധാനം പറയും. ഗവണ്മെൻറു തന്നെ ഇവരെ നിയമിച്ചാൽ എന്തെങ്കിലും ദോഷമുണ്ടെങ്കിൽ അവരുടെ മേൽ നിയന്ത്രണാധികാരം ഉപയോഗിച്ചു തിരുത്തിക്കൊണ്ടുവരുവാൻ ഗവണ്മെൻറിനു അധികസൗകര്യമുണ്ടു്. പ്രതീക്ഷിച്ചിരിക്കാത്ത പല കുഴപ്പങ്ങളും ഇപ്പോൾ പബ്ളിക്സർവീസ് കമ്മീഷണരാഫീസിൽ നടക്കുന്നുണ്ടു്. ഏതെങ്കിലും ഒരു സമുദായത്തോടൊ വ്യ

കതിയോടൊ അനീതി പ്രവർത്തിക്കുന്നു എന്നുകണ്ടാൽ അവരുടെ മേൽ വേണ്ട നടപടി നടത്താൻ സൗകര്യമുണ്ടു്. ഇപ്പോൾ അഡൈ്വസറി ബോർഡിനെ ഏർപ്പെടുത്തുകയെന്നുള്ളതു് പ്രാരംഭമാണല്ലോ. അതുകൊണ്ടു് ഗവൺമെൻറിൽനിന്നുതന്നെ നാമിനേററു ചെയ്യുന്നതാണു നല്ലതു്.

SAHIB BAHADUR M. K. MACKAR PILLAI (*Kunnatnad cum Parur*): സർ, പബ്ളിക്ക് സർവീസ് കമ്മീഷണരെ നിയമിക്കുന്നതു് ഗവൺമെൻറാണല്ലോ. അതുകൊണ്ടു് മെംബർമാരേയും ഗവൺമെൻറുതന്നെ നിയമിക്കുന്നതു നന്നായിരിക്കും. ഗവൺമെൻറിനു ബോദ്ധ്യമുള്ളവരെ നോക്കി നിയമിച്ചാൽ മതി. പക്ഷേ, ഭക്തിവിലാസത്തു അടുക്കുന്ന ആളുകളെ മാത്രം നിയമിക്കരുതു്.

MR. N. JOHN JOSEPH: അവശക്രിസ്ത്യാനികളിൽ ഒരാൾ അഡൈ്വസറി ബോർഡിൽ ഉണ്ടായിരുന്നാൽ കമ്മീഷണരോടും മററു മെംബർമാരോടും അവശക്രിസ്ത്യാനികളുടെ കാര്യം പറഞ്ഞു ബോദ്ധ്യപ്പെടുത്തുന്നതിനു സൗകര്യമുണ്ടു്. അതുകൊണ്ടു് അവശക്രിസ്ത്യാനികളിൽ നിന്നു ഒരു മെംബർ ഈ ബോർഡിൽ ഉണ്ടായിരിക്കേണ്ടതു അത്യന്താപേക്ഷിതമാണു്.

SRIMATI T. NARAYANI AMMA (*Nominated*): Sir, I beg to move the following amendment to Resolution No. 14;—

> "In line 2, substitute '7' for '6', and in line 3, delete the word 'and' before the words 'a Muslim' and insert the words 'and a lady' after the word 'Muslim' ".

PRESIDENT: And, if Government are not able to secure a Hindu or a Muslim lady, you would ask for 2 ladies?

SRIMATI T. NARAYANI AMMA: We would be all the more thankful, Sir. (*Laughter.*)

Owing to the large increase in the number of qualified women, year by year complaints regarding inadequate representation of women in the various branches of the public service, are bound to increase unless definite Rules are laid down and adhered to. It is highly necessary that, in the proposed advisory commitee, there should be a lady member to advise the Public Service Commissoner in matters relating to their initial appoinments, confirmations and promotions.

Sir, we have heard here each member speaking on behalf of his community. It will be admitted on all hands that women form 50 per cent. of the total population of the State.

PRESIDENT: In fact, a little more than that.

SRIMATI T NARAYANI AMMA: Thank you, for the information, Sir. Considering that fact, the number one is only a very modest demand and therefore I hope my amendment will be unanimously accepted by the House.

SRIMATI K. DEVAKI ANTHARJANAM (*Nominated*): I second it.

MR. C. JEBAMONY NADAR: I oppose the resolution. I shall read, from the Madras Mail dated the 20th January 1940 the G. O. of the Mysore Government on the matter.

> "After examination of the working of the Public Service Commissions in various Provinces, the Mysore Government have come to the conclusion that it is not necessory for Mysore to have an expensive Public Service Commission and have, therefore, decided that the entire work and responsibility might well be entrusted to one individual officer of high status who could command the confidence of the public".

There is therefore no need for any advisory commitee.

Srimati T. Narayani Amma's amendment was put to vote and carried.

Mr. N. Velu Achary's amendment was put to vote and lost.

Mr. Kannanthodath Janardanan Nair's amendment was put to vote and lost.

The resolution, as amended by Srimati T. Narayani Amma, was put to vote and carried.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I beg to move the following resolution:—

> 'This Assembly recommends to Government that steps be taken forthwith to see that all the candidates, recruited to the Public Service under the advice given by the Public Service Commissioner, are absorbed before fresh candidates are advised to be recruited."

Sir, I do not think any lengthy speech is necessary to convince the House of the reasonableness or soundness of the principle underlying my resolution. But the question might be raised whether this resolution is not against the resolutions already accepted by the House. All that I suggest is that the resolutions now adopted by the House should be stayed till all the candidates, who have been already selected by the Public Service Commissioner but who are out of employment as a result of the operation of Rule 45, are absorbed. It is a matter of common knowledge that several candidates who were selected on merit after a competitive test and placed high in the Service Commissioner's list, and who actually held acting appointments for some time have been out of employment for 2 and 3 years now, owing to want of vacancies. As a matter of fact, it was as a result of a change in the operation of Rule 45 that, while some juniors in the list are having long and continuous vacancies and have actually been confirmed in some departments, several placed high in the list, are out of employment for no fault of theirs.

Sir, it is obvious from my resolution that the benefit of it will extend to all communities. It will also be conducive to efficiency since most of these candidates have already put in some service.

I therefore place the resolution for the unanimous acceptance of the House.

Mr. K. P. KOCHUKORATHARAKAN : സർ, ചില വ്യവസ്ഥകളോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു. പബ്ളിക്കുസർവീസ് കമ്മീഷണർ ൧൯൩൧ അവസാനംവരെ ആക്ടിംഗ് ആയി പലരേയും നിയമിച്ചിട്ടുണ്ട്. ൧൦-൧൨ ദിവസത്തേ ആക്ടിംഗ് കിട്ടിയശേഷം പലരും ജോലിയില്ലാതെ നിൽക്കുന്നുണ്ടു. പബ്ളിക്കുസർവീസ് കമ്മീഷണർ റിക്രൂട്ടു ചെയ്തിട്ടുള്ളതിൽതന്നെ ചില സമുദായങ്ങൾക്കു കൂടുതൽ ഉദ്യോഗങ്ങൾ കിട്ടിയെന്നും മററു ചില സമുദായങ്ങൾക്കു അവർ അവകാശപ്പെട്ടിടത്തോളം കിട്ടിയിട്ടില്ലെന്നും ഉള്ള പരാതി ഇനിയും അവസാനിച്ചിട്ടില്ല. മി: കുഞ്ഞിത്തൊമ്മൻെറ സമുദായത്തിനു തന്നെ ശരിയായ പ്രാതിനിധ്യം കിട്ടിയില്ലാ എന്നു പറയുന്നതു എത്രയും ശരിയാണ്. അതുകൊണ്ടു ആക്ററിംഗ്കാരെ അതായതു പബ്ളിക്കുസർവീസു കമ്മീഷണരുടെ നിയമത്തിനു് മുൻപുള്ള ആക്ററിംങ്കാരും പബ്ളിക്കു സർവീസു കമ്മീഷണർ നിയമിച്ചവരിൽ ഇപ്പോൾ ഉദ്യോഗമില്ലാതെ വെളിയിൽ നില്ക്കുന്നവരും ആയിട്ടുള്ള ആക്ററിങ്കാരെ നിയമിച്ചതിനുശേഷം ഇപ്പോൾ മിസ്റ്റർ കയിനിക്കര പത്മനാഭപിള്ള ഹാജരാക്കിയിരിക്കുന്ന പ്രമേയത്തിലെ തത്വമനുസരിച്ച് നിയമനം തുടങ്ങിയാൽ മതി എന്നു വന്നാൽ അതു ഇനിയും ഒരു അഞ്ചുകൊല്ലമെങ്കിലും കഴിഞ്ഞിട്ടെ ആ തത്വമനുസരിച്ചു നിയമനം തുടങ്ങുവാൻ സാധിയ്ക്കുകയുള്ളു. അതിനാൽ ഇനിയുള്ള സകല നിയമനങ്ങളിലും ഇപ്പോൾ ഹാജരാക്കിയിരിക്കുന്ന പ്രമേയത്തിലെ തത്വമനുസരിച്ചു നിയമനം നടത്തുകയും എന്നാൽ മുൻ ആക്ററിങ്കാരെ ഓരോ സമുദായങ്ങളും അവരവരുടെ വീതത്തിലുള്ള (റൊട്ടേഷനിൽ വരുന്ന) നിയമനങ്ങളിൽ നിയമിയ്ക്കുകയും വേണം. അല്ലാതെ യാതൊരു സമുദായത്തേയും മററു സമുദായങ്ങളുടെ ആക്ററിങ്ങ് അവകാശവാദഭാഗം ചുമത്തുവാൻ പാടില്ല. സമുദായങ്ങളുടെ റൊട്ടേഷൻ വരുന്ന സമയത്തു ലാങ്ങ്സർവീസുള്ളവരെ നിയമനാവകാശം എപ്രകാരം നടത്തുന്നുവൊ അപ്രകാരം സ്ഥിരപ്പെടുത്തുകയാണു നല്ലതു്.

Mr. P. S. MAHOMED : ഇപ്പോൾ പബ്ളിക്കുസർവീസിൽ പ്രവേശനം കിട്ടിയവരെയെല്ലാം സ്ഥിരപ്പെടുത്തിയശേഷമെ മററാരേയും നിയമിക്കാൻ പാടുള്ളു എന്നാണൊ ഈ പ്രമേയം?

Mr. K. P. KOCHUKORATHARAKAN : അതിനുള്ള മാറ്റമാണു ഞാൻ ചൂണ്ടിക്കാണിച്ചിരിയ്ക്കുന്നതു. ആ പ്രമേയത്തെ അതിൻെറ തനിരൂപത്തിൽ ഞാൻ എതിർക്കുന്നു.

MR. JOSEPH VITHAYATHIL (*Kunnatnad cum Parur*) : I oppose the resolution. It is not practicable.

MR. C. V. CHANDRASEKHARAN : The resolution has not been seconded.

PRESIDENT : Mr. Tharakan, I thought, seconded it.

MR. C. V. CHANDRASEKHARAN : Later on he withdrew his support.

MR. N. NARAYANA KURUP (*Ambalapuzha cum Shertallai*) : I seconded it.

MR. JOSEPH VITHAYATHIL : I oppose the resolution. I do not think it is practicable. The candidates selected by the Public Service Commissioner belong to different communities and they cannot be absorbed at one and the same time. All the selected candidates from a particular community may be absorbed while many belonging to another community still remain to be absorbed. According to the resolution fresh recruitments cannot be made from the former community till all the candidates from the latter community are absorbed. This will work real hardships upon the former community. Again if a vacancy arises and if according to the existing rules the turn belongs to that community should the appointment be made under those rules or under the new rules?

According to the resolution the new rules cannot be applied. If the candidate is selected under the existing rules and if he is thrown out of work afterwards he also may take time to be absorbed. This being the case with regard to all communities we can easily realise the difficulty in applying the principle of the resolution. We shall have to wait for an indefinite period before we shall be able to apply the new rules and we shall be causing real hardships to communities which are not adequately represented in the Public Service.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Is the member aware that, as per my resolution, all these candidates are to be absorbed without any preference being shown to any one community?

MR. JOSEPH VITHAYATHIL : It may be so. But what about fresh recruitments to be made from communities which have no candidates in reserve? Is it to be according to the old rules? That certainly, will not be fair. In any case, the resolution is not practicable. I therefore oppose it.

MR. P. S. MAHOMED : സർ, ഞാൻ ഈ പ്രമേയത്തെ ശക്തിയായി എതിർക്കുന്നു. വളരെ പ്രയാസപ്പെട്ടു പലവിധത്തിലുള്ള ബുദ്ധിമുട്ടു കഴിഞ്ഞശേഷം നിയമനവിഷയത്തിൽ ഏതാണ്ടൊരു തത്വം ഈ സഭ സ്വീകരിച്ചു. ആ തത്വത്തിനു വിപരീതമാണ് ഈ പ്രമേയം. ഒരു കൈകൊണ്ടു കൊടുത്തിട്ടു മറ്റെ കൈകൊണ്ടു എടുക്കുന്ന നയം ശരിയല്ല. അസമത്വ സമുദായങ്ങൾക്കു ഏതെങ്കിലും രീതിയിൽ ഉദ്യോഗം കിട്ടണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടിയാണു നാം ഈ തത്വം ഇവിടെ സ്വീകരിച്ചതു്. ഈ പ്രമേയം നാം സ്വീകരിക്കയാണെങ്കിൽ നാം ഇവിടെ

പാസാക്കിയ തത്വങ്ങൾ ഇനിയൊരു പത്തുകൊല്ലത്തേക്കു നടപ്പിൽവരുത്താൻ സാധിക്കയില്ല. ഇവിടെ നാം പാസാക്കിയ കമ്മ്യൂണൽ റൊട്ടേഷൻ അനുസരിച്ച് ഇന്നു ആക്ട് ചെയ്തിട്ടുള്ളവരുടെ സംഗതിയിൽ അവർക്കു പ്രിഫറൻസു കൊടുക്കണമെന്നുള്ളതിൽ എനിക്കു അഭിപ്രായവ്യത്യാസമില്ല. നാം ഇവിടെ പാസാക്കിയ പ്രമേയങ്ങളെയെല്ലാം ഉപയോഗശൂന്യമാക്കുന്ന ഈ പ്രമേയത്തെ ശക്തിയായി എതിർക്കാതെ നിവൃത്തിയില്ല.

MR. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*): I oppose the resolution. It will be virtually defeating the resolutions that have been passed by the House already, with the maximum amount of unanimity among the various sections here. Further, it is not clear how long we are to wait for the new agreed resolutions to come into force. I would, therefore, request Mr. Velayudhan Pillai to magnanimously withdraw his resolution.

MR. KANNANTHODATH JANARDANAN NAIR: I support the motion. In doing so, I have to bring forward once again certain disabilities now experienced by selected candidates and re-registered candidates on 20-25 grade. As I pointed out on a former occasion the second selective test absolutely unnecessary and unjustifiable as it was, has worked great hardship, especially on those on the scale already mentioned. I have also pointed out how that was in contravention of Rule 35 which specifically prohibits the holding of a further test when selected candidates are available for appointment. Sir, the second test was held when actually there were over 360, out of the first list, out of employment; The second test added 348 more to the list of unemployed. Then began appointments from both the lists. According to rule 45 now abolished a candidate who has once acted and has since been relieved, can be employed again only after re-registration after a year. Doubts were raised as to the interpretation of this rule and the difficulty of its application and the Government passed orders that candidates selected by the Public Service Commissioner and holding appointments should be retained as far as possible. This led to junior men getting continuous service and some of them even getting confirmed as for instance those in the Registration Department. I need not explain further the hardships caused to the selected candidates who were relieved as per Rule 45 before the above Government orders. Some of these candidates have put in more than three years of service. I may mention for the information of the House that No. 1 in the first list is still out of employment; so also is No. 70 and 76. Such examples are very many and I do not want to add to the list of such instances.

DR. G. D. NOKES (*Public Service Commissioner*): Question. It was because I did not want to break the neutrality expected of official members in this debate that I did not explain my position so far. I may however, now point out that what the member has been stating is a complete travesty of facts, grossly inaccurate almost in every detail

MR. KANNANTHODATH JANARDANAN NAIR : I know that, up to the end of Kanni 1113 when the second test was held, only 154 candidates had been absorbed from the first list. This is from the Report of the Public Service Commissioner for the year 1113.

DR. G. D. NOKES : May I point out to the honourable member that it was because sufficient vacancies did not occur that many of these candidates happen to be still out of employment ?

MR. KANNANTHODATH JANARDANAN NAIR : That may be. But in what way are these poor candidates responsible for the want of vacancies ? I do not say that the Public Service Commissioner is responsible for that either. My complaint is that there was no necessity for holding the second test when 364 candidates, out of the 510 candidates first selected had not been provided for. This is, I admit, mainly the result of over-estimation of vacancies. When the actual number of vacancies in the inter division was only 56 on the average for every half year the estimates were far higher. For example, when for the 1st half of 1114 vacancies on 40-70 grade were estimated to be 38 the actual number occured was only 3.

Therefore, what I would suggest is that, before fresh selections are made, a fresh list of these re-registered unemployed candidates, should be prepared and circulated among the departmental heads so that these candidates could be appointed before any fresh recruitments are made.

In the matter of confirmation too there is a lot of complaint; the Public Service Commissioner himself has admitted that in his Administration Report for 1113. This is what he says —in para 42 : "In view of the fact that the great majority of vacancies notified to this office by appointing authorities are short, questions commonly arose as to the order in which candidates recruited on the advice of this office should be relieved when these vacancies terminated. Connected with this question was the less common one of the order in which such candidates should be confirmed in the event of permanent vaccancies occuring.........." As a result of various references to Government, Government passed an order on 7th May 1938 laying down the rules for determining seniority between persons recruited at various dates, and providing that relief or confirmation should depend upon juniority or seniority as the case might be. In spite of this order, the seniority question could not be equitably settled. The failure of the settlement of the seniority question, in spite of this order, has been admitted by the Public Service Commissioner himself. He says in this report on page 6 (para 14) of the report on the Public Service Recruitment Rules, "yet it cannot be denied that senior candidates may occasionally have lost their chances of confirmation because they were out of the service at the critical time, and further rules may be necessary"

In the matter of being retained in service, these candidates are absolutely at the mercy of the officer concerned. If the officer concerned is inclined to help a candidate, he can so manage to shift the candidate

from one acting vacancy to another without break until a permanent vacancy arises. Therefore I would suggest that all candidates who have been once selected and appointed and then relieved, and who are still in the list of the Public Service Commissioner, should be absorbed before any further advices are made by the Public Service Commissioner.

DR. G. D. NOKES: May I just point out to the honourable member that it will have the effect of indefinitely keeping out the candidate belonging to the under-represented communities?

MR. KAINIKKARA M. PADMANABHA PILLAI: I wish to offer a few remarks on this matter. I can quite understand the position that the persons already selected by the Public Service Commissioner should be absorbed. But, as the Public Service Commissioner has pointed out by his last question, if Mr. Velayudhan Pillai's resolution is carried as it is, there would be the great danger of a large number of candidates belonging to the backward and under represented communities, already in the list but not recommended so far for appointment, being excluded. That will not merely perpetuate but increase the disparity and inequality between the different communities in their representation in Public Service. If that is to be avoided not only those that have been advised for recruitment by the Public Service Commissioner but also those that are included in the list but have not been recruited as yet will have also to be appointed. That would mean that the arrangement we have agreed upon will have to be postponed for an indefinite period. Therefore as Mr. Dominic Joseph said, we have come to an agreed conclusion, and I think with him that this resolution need not be pressed.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know what according to my honourable friend should be done to those candidates already in the list, people who were first recruited under the advice of the Public Service Commissioner and have been out of employment for over three years?

MR. KAINIKKARA M. PADMANABHA PILLAI: They must be given preference when working the rotation under the new scheme.

The resolution of Mr. T. P. Velayudhan Pillai was put to vote and lost.

MR. N. NARAYANA KURUP: I demand a poll.

PRESIDENT: In the first place poll cannot be demanded without adequate reason. In the present case, it is obvious that there are only two in favour of the resolution. On a former occasion when poll was taken, there was only one in favour of the proposition. Poll is not demanded when there is no real doubt about the results.

MR. KOTTALIL P. ABRAHAM (*Muvattupuzha* cum *Devicolam*): Sir I beg to move the following resolution:

"This Assembly recommends to Government that the above rules shall be in force for the next three years, at the end of which period the position shall be reviewed by Government in the light of conditions then existing."

[Mr. Kottalil P. Abraham.]

Sir, I have not much to speak on this resolution. It is based on our past experience. After working the present rules for the last three years, we have been able to find that they require drastic changes now; similarly, it is not unlikely that, after working the new rules for the next three years we would like to have further changes in the rules. Defects if any would become apparent only when these rules are put into practice. Three years will, in my opinion, be a reasonable period for which to work the rules and within which to find out their merits or de-merits. Further, we are having shortly a fresh census in 1941 which is likely to exhibit new features and to demand a review of the present conditions. It is to provide for these things that I have tabled this resolution.

MR. KAINIKKARA M. PADMANABHA PILLAI: I accept the resolution.

The resolution was carried *nem con.*

The House adjourned for lunch at 1·35 p. m. and re-assembled at 2-30 p. m. with the President in the Chair.

PRESIDENT: Mr. Kochukora Tharakan is not present for the moment. Is any one willing to shoulder his responsibility?

MR. KOTTALIL P. ABRAHAM: I shall take up the responsibility of doing that.

I move the following resolution:

"That in recruitment to Public Service candidates from unrepresented or inadequately represented taluks be given preference to those from well-represented taluks in the State."

PRESIDENT: Am I to take it that you are not moving the first resolution of Mr. Tharakan?

MR. KOTTALIL P. ABRAHAM: I shall first take up the second of the resolutions for the sake of convenience. Sir, this resolution is intended to bring into prominence the complaints and claims of the several parts or regions of the State whose citizens or inhabitants are not at all found represented in the Public Service of the State. I need hardly submit that there are some regions in Travancore whose residents have not been able to secure any or adequate appointments in the public service. Some complaints have arisen about that from certain taluks in the country. It is an undoubted fact that some taluks did however get favourable chances of getting more appointments in the public service. Such complaints have to be enquired into and remedies have to be suggested for that purpose. As in the matter of communal representation which when first initiated was looked upon with some scorn and opposed on grounds of practical difficulties but which today we have come to agree as desirable and workable, so in the matter of regional representation also difficulties might appear at first sight but they are sure to disappear in course of time. I do concede that there may be practical difficulties in working out that idea on a mathematical calculation especially when the principle of communal representation has not been fully and satisfactorily worked out. But there is another aspect of the question.

PRESIDENT: Has the honourable member considered the practicability of working this rule in conjunction with the rules that have already been considered and passed by the House today.

MR. KOTTALIL P. ABRAHAM: Of course, this resolution has been so worded as to facilitate the working of the present motion along with the rules just now passed. I do not think there is any real incongruity between this motion and the other rules passed today. This House when sitting in committee yesterday considered this aspect of the question. An amendment was suggested to the effect that not inconsistent with the principles of communal representation, the regional representation also may be taken into consideration. I think some such suggestion was made in the Committee. In other words, the idea is that unrepresented areas may be considered and proper shares of appointments be given to them as far as possible without any detriment to the present scheme based on communal representation. I do not think any lengthy argument is needed to convince the House of the necessity for such a proposition, especially after the discussion about the subject in yesterday's committee, which was the House itself.

MR. K. P. KOCHUKORA THARAKAN: I second it. എന്റെ റസല്യൂഷനെ എനിക്കു ഇവിടെ അവതരിപ്പിക്കുന്നതിനു സാധിക്കാതെ വന്നതിൽ മനസ്താപിക്കുന്നു. എങ്കിലും അതിനെ സെക്കൻറു ചെയ്വാനുള്ള സൗകര്യമെങ്കിലും ലഭിച്ചതിൽ എനിക്കു വളരെ സന്തോഷമുണ്ട്. സമുദായപ്രാതിനിധ്യമനുസരിച്ച് ഉദ്യോഗനിയമനം നടത്തണമെന്ന് ഗവർമ്മെൻറിനോട് വളരെക്കാലം പരാതിപറഞ്ഞതിൻെറ ഫലമായിട്ടാണ് സമുദായപ്രാതിനിധ്യമനുസരിച്ച് നിയമനം നടത്തണമെന്ന് വ്യവസ്ഥ ചെയ്തിട്ടുള്ളത്. ക്രിസ്ത്യൻസമുദായത്തിൽപ്പെട്ട ലാററിൻകത്തോലിക്ക്, സിറിയൻകത്തോലിക്ക് ഇവരുടെ പേരുംപറഞ്ഞ് പബ്ളിക്കുസർവീസിൽ പ്രാതിനിധ്യം കൂടുതലുള്ള സമുദായക്കാർ ഉദ്യോഗം കൈക്കലാക്കിവരുന്നുണ്ട്. അതുപോലെ കൃത്രിമമായി യാക്കോബായക്കാരുടെ പേരുപറഞ്ഞു പ്രാതിനിധ്യമധികമുള്ള മററു ക്രിസ്ത്യൻ സമുദായങ്ങളും ഉദ്യോഗങ്ങൾ കൈവശപ്പെടുത്തിത്തുടങ്ങിയിട്ടുണ്ട്; കൈവശപ്പെടുത്തുന്നുമുണ്ട്. കാസ്റ്റ്വാർസ്റ്റേയിററ്മെൻറ് ചോദിക്കുമ്പോൾ ഗവണ്മെൻറു തരുന്ന സ്റ്റേയിററ്മെൻറിൽ യാക്കോബാ സമുദായക്കാരുടെ സംഖ്യ മുഴച്ചുതന്നെ കാണുന്നുണ്ട്. എന്നാൽ സർവീസിലിരിക്കുന്നവരുടെ സംഖ്യ വളരെ കുറവായിട്ടേ കാണുന്നുള്ളു. ഈ സംഗതി പ്രത്യക്ഷമായി എനിക്കു ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ട്. അവർ ആരാണെന്നുള്ളത് അറിയാം. പക്ഷെ അത് ഞാൻ പുറത്തുപറയണമെന്നു ഇപ്പോൾ വിചാരിക്കുന്നില്ല. അതുകൊണ്ട് ഇന്നസമുദായത്തിൽപെട്ട ആളാണെന്ന് അറിയത്തക്ക

[Mr. K. P. Kochukora Tharakan.]

വിധം അതാതു് സമുദായമേലദ്ധ്യക്ഷന്മാരുടെ ഒരു സമുദായസർട്ടിഫിക്കേററ് (ക്രിസ്ത്യാനികളെ സംബന്ധിച്ചിടത്തോളം) ഹാജരാക്കണമെന്നു വ്യവസ്ഥയുണ്ടാക്കണം.

MR. C. V. CHANDRASEKHARAN: Sir, on a point of order. The honourable member is seconding the other resolution which has not been moved in the House.

PRESIDENT: Probabey the member thinks that the merits for this resolution are equally applicable to the one which has not been moved. The member will proceed.

MR. K. P. KOCHUKORA THARAKAN: ഇങ്ങിനെയുള്ള വിഷമങ്ങൾ അനുഭവിക്കുന്ന സമുദായാംഗങ്ങൾക്കു് പ്രാദേശികപ്രാതിനിദ്ധ്യംകൂടി അനുവദിച്ചുകൊടുക്കണമെന്നാണു് എനിക്കു പറയാനുള്ളതു്. തിരുവിതാംകൂറിലെ ചില പ്രദേശങ്ങളിലുള്ളവർക്കു് കൂടുതൽ വിദ്യാഭ്യാസം ചെയ്യുന്നതിനു് ആദ്യകാലത്തു് സൗകര്യംലഭിച്ചു. വിദ്യാഭ്യാസത്തിന്റെ പുരോഗതി അനുസരിച്ചു് അവർക്കു് ഉദ്യോഗവും ലഭിച്ചുവന്നു. കാലക്രമേണ മററു പ്രദേശങ്ങളിലുള്ളവരും വിദ്യാലയങ്ങൾ സ്ഥാപിച്ചു് വിദ്യാഭ്യാസവിഷയത്തിൽ ഉയർന്നുവരികയും ഉദ്യോഗം അവക്കുകൂടി കിട്ടണമെന്നു് ആവശ്യപ്പെടുകയും ചെയ്തു വരുന്നു. ആദ്യകാലത്തു് വിദ്യാഭ്യാസം ചെയ്യുന്നതിനു സൗകര്യം ലഭിക്കാത്ത പ്രദേശങ്ങളിലുള്ള ആളുകൾ ഉദ്യോഗം ലഭിക്കുന്ന വിഷയത്തിൽ പിന്നോക്കമായിപ്പോയി. അതു ഏതെങ്കിലും പ്രദേശത്തുകാരുടെ കുററംകൊണ്ടു വന്നതല്ല. ഗവർണ്മെൻറു് പള്ളിക്കൂടങ്ങൾ ആദ്യകാലത്തു സ്ഥാപിച്ചതു ഒരു തത്വവും അടിസ്ഥാനപ്പെടുത്തിയല്ലായിരുന്നു. അങ്ങും ഇങ്ങും ചില പള്ളിക്കൂടങ്ങൾ ഉണ്ടാക്കിയെന്നല്ലാതെ രാജ്യത്തിന്റെ നാനാഭാഗങ്ങളിലും ഉള്ളവക്കു ഒരു പോലെ പ്രയോജനപ്പെടത്തക്കവിധം ചില മദ്ധ്യസ്ഥാനങ്ങളിൽ സ്ഥാപിച്ചിരുന്നു എങ്കിൽ രാജ്യത്തിന്റെ എല്ലാ ഭാഗത്തുള്ളവരും വിദ്യാഭ്യസിക്കുന്നതിനും ഈ അസമത്വംകൂടാതെ കഴിയുന്നതിനും സംഗതിയാകുമായിരുന്നു. എന്നാൽ ഇപ്പോൾ പ്രാദേശികപ്രാതിനിദ്ധ്യവിഷയത്തിൽ ഓരോപ്രദേശത്തിനും എത്രത്തോളം കുറവുണ്ടെന്നു് അറിയുന്നതിനായി ഗവണ്മെൻറിനോടു് ആവശ്യമുള്ള ചോദ്യം ചോദിച്ചാൽ അതിലേക്കു് ചിലവാകുന്ന പണവും സമയവും അനുസരിച്ചുള്ള പ്രയോജനം അതുകൊണ്ടു സിദ്ധിക്കുന്നില്ല എന്ന മറുപടിയാണു് ലഭിച്ചുകൊണ്ടിരിക്കുന്നതു്. എന്നാൽ പ്രത്യക്ഷമായി അനുഭവത്തിൽ സംഗതികൾ എങ്ങിനെയിരിക്കുന്നു എന്നു് ഞങ്ങൾക്കറിയാം. ഞാൻ പ്രതിനിധീകരിക്കുന്ന നിയോജകമണ്ഡലത്തിൽ

ഉദ്യോഗസ്ഥന്മാർ വളരെ കുറവാണ്. തിരുവിതാംകൂറിലെ ഏഴോ എട്ടോ താലൂക്കുകളിലേയ്ക്കാണ് ഉദ്യോഗസ്ഥന്മാരുടെ നിയമനം ഭാഗിച്ചിരിയ്ക്കുന്നതു. അതുകൊണ്ട് സമുദായപ്രാതിനിധ്യം ഇവിടെ അത്യാവശ്യമായിരിക്കുന്നതുപോലെ തന്നെ പ്രാദേശികപ്രാതിനിധ്യവും അത്യാവശ്യമായിത്തന്നെയിരിക്കുന്നു. സമുദായപ്രാതിനിധ്യവാദം അനുവദിക്കുന്ന വിഷയത്തിൽ ഭൂരിപക്ഷം അനുദ്യോഗസ്ഥസാമാജികരും യോജിച്ചിരിക്കുന്ന സ്ഥിതിക്ക് പ്രാദേശികപ്രാതിനിധ്യത്തേയും അനുകൂലിക്കുമെന്നു വിശ്വസിക്കുന്നു. ഒരു സമുദായത്തിൽ നിന്നും തുല്യയോഗ്യതയുള്ള അപേക്ഷകന്മാർ ഉദ്യോഗാർത്ഥികളായിവരുമ്പോൾ പ്രാദേശികപ്രാതിനിധ്യം കുറഞ്ഞസ്ഥലത്തുള്ള അപേക്ഷകനു ഉദ്യോഗദാനവിഷയത്തിൽ മുൻഗണന കൊടുക്കണം. അങ്ങനെ ഒരു വ്യാഴവട്ടക്കാലം ഗവർമ്മെൻറിൽ നിന്നും നിയമനം നടത്തുന്നപക്ഷം എല്ലാ പ്രദേശങ്ങളിൽ ഉള്ളവരും ഉദ്യോഗത്തിൽ വരുന്നതാണ്. കരമായും മററു പല ഇനങ്ങളിലായും ഗവണ്മെൻറിലേക്ക് കൊടുത്തുവരുന്ന പണമാണ് ഗവണ്മെൻറുദ്യോഗസ്ഥന്മാർക്ക് ശമ്പളമായി തിരികെ കൊടുക്കുന്നതു്. അങ്ങിനെ കൊടുക്കുന്ന പണം ചില സമുദായക്കാർക്കും താലൂക്കുകാർക്കുംമാത്രം ലഭിക്കുകയെന്നതു നീതിയല്ല. ഞാൻ ഇവിടെ ആവശ്യപ്പെടുന്നതു ഒരു പ്രത്യേകാനുകൂലമല്ലെന്നും കേവലം നീതിമാത്രമാണെന്നും ഗവണ്മെൻറു അറിഞ്ഞിരിയ്ക്കേണ്ടതാണ്. എന്നാൽ മററുതാലൂക്കുകളിലുള്ളവർക്കും മററുസമുദായങ്ങൾക്കും ശമ്പളംവാങ്ങിക്കാൻ സൌകര്യമില്ലാതിരിക്കുന്നതു് അവർക്ക് പരീക്ഷാവിജയികൾ ഇല്ലാതിരുന്നകാലത്തു സങ്കടകരമല്ലായിരുന്നെങ്കിലും പരീക്ഷാവിജയികൾ ധാരാളമുള്ള ഈക്കാലത്തു സങ്കടകരമാണെന്നുള്ളതു് എല്ലാവരും സമ്മതിക്കുമെന്നാണു ഞാൻ വിശ്വസിക്കുന്നതു്. അതുകൊണ്ടു സമുദായപ്രാതിനിധ്യം വലിയവഴക്കും വാദവും കൂടാതെ സമ്മതിച്ച മാന്യസ്നേഹിതന്മാർ ഇതിനേയും സ്വീകരിക്കുമെന്നു വിശ്വസിക്കുകയും ഈ സംഗതിയും ഇന്നലെ ഇവിടെ നടന്ന കമ്മററിയിൽ എല്ലാവരും സമ്മതിച്ചിട്ടുള്ളതും സ്വീകരിച്ചിട്ടുള്ളതും ആകയാൽ ഈ സംഗതിയുടെ നാനാവശങ്ങളെപ്പററി ഇനിയും പറഞ്ഞു സമയം ദീർഘിപ്പിക്കുന്നില്ല. ഇന്നലത്തെതുപോലെ തന്നെ അഭിപ്രായവ്യത്യാസം കൂടാതെ ഇന്നും ഈ റസല്യൂഷൻ സഭ സ്വീകരിയ്ക്കണമെന്നു ഒന്നുകൂടെ അപേക്ഷിച്ചുകൊള്ളുന്നു.

MR. A. K. KUMARAN VAIDYAN : ഞാൻ ഈ ഭേദഗതിയെ അനുകൂലിക്കുന്നു. തെക്കൻ തിരുവിതാംകൂറിലുള്ളവർക്ക് കൂടുതൽ ഉദ്യോഗങ്ങൾ കൊടുത്തുവരുന്നു എന്നാണു ഞങ്ങൾ വിചാരിച്ചിരിക്കുന്നതു്.

MR. T. C. KESAVA PILLAI (*Kulkulam cum Vilavankod*): തെക്കൻതിരുവിതാംകൂറിലുള്ള ഈഴവർക്ക് ന്യായമായി കിട്ടേണ്ട ഉദ്യോഗങ്ങൾ കിട്ടിയിട്ടില്ലെന്നറിയാമോ?

MR. A. K. KUMARAN VAIDYAN: ഈഴവർക്ക് ന്യായമായി കിട്ടേണ്ട അവകാശം കിട്ടിയെന്നു ഞാൻ പറഞ്ഞില്ല. ഈഴവസമുദായത്തിൽ ഉദ്യോഗം കിട്ടിക്കൊണ്ടിരിക്കുന്നതു് തെക്കൻതിരുവിതാംകൂർകാർക്കാണ് എന്നുമാത്രമേ പറഞ്ഞുള്ളു. വടക്കൻതിരുവിതാംകൂറിലുള്ളവർക്ക് ഉദ്യോഗം വളരെ കുറവാണ്. തലസ്ഥാനനഗരിയിൽ നിന്നും വളരെ ദൂരെയാണ് വടക്കൻതിരുവിതാംകൂറുകാർ താമസിക്കുന്നതു്. എവിടെ ഉദ്യോഗമുണ്ടെന്നും എവിടെ കിട്ടുമെന്നും മററുമുള്ള സംഗതികൾ അവർക്കറിഞ്ഞുകൂടാ. അതിനുള്ള കാര്യം അവരുടെ പൂർവ്വികന്മാർ ഉദ്യോഗത്തിലില്ലാതിരുന്നതുകൊണ്ടാണെന്നാണ് ഇപ്പോൾ വിചാരിക്കേണ്ടതു്. അതുകൊണ്ട് പബ്ലിക്കുസർവീസിലെ ഉദ്യോഗനിയമനവിഷയത്തിൽ ഗവർമെണ്ടിന് ദയവുണ്ടായി അതിലിടപെട്ട് താലൂക്കുതോറുമുള്ള ന്യായമായ പ്രാതിനിധ്യവ്യവസ്ഥയനുസരിച്ച് തീരുമാനംചെയ്തു വടക്കൻതിരുവിതാംകൂറുകാരായ ഞങ്ങളെ സഹായിക്കണമെന്ന് അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

MR. P. NARAYANA PILLAI: Sir, I oppose the resolution moved by Mr. Abraham on behalf of Mr. Kochukora Tharakan. Some of the communities have now agreed to accept the principle of rotation according to population basis not because they think that communal rotation is sound on principle, but simply to create communal harmony and peace in the country. If the adoption of communal representation by itself is bad on principle, principle of territorial representation is still worse. By accepting the resolution now urged by Mr. Abraham, we will be merely combining the narrowness involved in communalism with the pettiness of parocihal prejudice. Moreover, the effect of the resolutions agreed to by overwhelming majority will be set at nought. According to this scheme, it will be possible for the educated unemployed to migrate to areas which have been unrepresented and thus create deadlock. That will also create communal bitterness in a violent form within each division. Those who have friends and relations in over-represented area could be imported to the area less-represented and thus create a tangle between the unrepresented and over-represented regions. In order to provide for friends, a man can very easily get over the difficulty by purchasing two cents of land in an unrepresented area and then settle there for representation. In view of the unanimity of agreement arrived at, I do not find my way to support the motion.

PRESIDENT: Then the question of domicile comes in. Only when a person is born in a particular taluk, he can claim representation there. The short cuts of purchasing land in one area and then fighting

for representation would not simplify matters. Only those born or living under special legislative enactments can claim representation in an area and not otherwise.

MR. P. NARAYANA PILLAI: That is the reason why I said it is radically impossible to adopt such a proposition.

PRESIDENT: There is real difficulty in the working of this rule in a very well represented area. A person might have been born in say Minachil, might have been educated in Trivandrum, appointed for a little while in Quilon and might have settled down in Munnar. How does the question of appointment come in? On what basis is it? It is even now found that the question of domicile in a State is bristling with difficulties. Suppose a man has lived in a particular taluk for two generations and lives all the rest of the time outside, is he or is he not to be considered as a Travancorean? Those points will have to be decided by the Public Service Commissioner in regard to each taluk whenever the applicant's case comes up. Is that what is meant, Mr. Abraham? I think it is rather a difficult legal problem.

That question will have to be discussed and decided by the Public Service Commissioner in regard to each taluk and each applicant. If that is what is meant in the resolution it would be creating a very difficult problem. But if it is a mere recommendation or suggestion for action then there is something to be said about it. For instance, there is a general complaint prevailing in England that people from Scotland get all the appointments; especially, in banking, finance and currency, very few Englishmen get appointments. And this has created a certain amount of trouble owing to what is called, *Scotch Invasion* So it is not desirable to lay down principles which will be difficult to be applied legally.

MR. S. CHATTANATHA KARAYALAR: Yesterday, the principle of this resolution was meant only to be a recommendation. There did not arise any question of domicile.

PRESIDENT: The question before the House is that "This Assembly recommends to Government that in recruitment to Public Service candidates from unrepresented or inadequately represented taluks be given preference to those from well-represented taluks in the State."

The motion was put to vote and lost.

MR. KOTTALIL P. ABRAHAM: Sir, I demand a poll.

A poll was taken and the House divided as follows:

AYES.- 9.

1. Mr. Kottalil P. Abraham
2. ,, K. Dominic Joseph
3. ,, Joseph Vithayathil
4. ,, T. C. Kesava Pillai
5. ,, K. P. Kochukora Tharakan
6. Mr. A. K. Kumaran Vaidyan
7. ,, Thariathu Kunjithommen
8. ,, P. V. Mathai Chemparathy
9. ,, K. R. Narayanan

NOES.—15.

1. Srimati K. Devaki Antharjanam
2. Mr. E. E. Pandarathil
3. ,, D. Francis
4. ,, K. G. Govindan
5. ,, S. Govinda Pillai
6. ,, M. G. Kesava Pillai
7. ,, P. Knjukrishnan
8. ,, K. G. Kunjukrishna Pillai
9. Mr. K. Kunju Panickar
10. ,, Warkala K. Madhavan
11. ,, P. Narayana Pillai
12. Srimati T. Narayani Amma
13. Mr. N. Ramakrishna Pillai
14. ,, M. R. Narayana Pillai
15. ,, Puliyoor T. P. Velayudhan Pillai

NEUTRALS.—25.

1. Mr. P. C. Adichan
2. Sahib Bahadur V. Chandamiah
3. Mr. S. Chattanatha Karayalar
4. ,, M. L. D'cruz
5. ,, C. Jebamony Nadar
6. ,, Kannanthodath Janardanan Nair
7. ,, Padiyara Joseph Kunju
8. ,, V. Kunjukrishnan
9. ,, Menatheri N. Kesava Panickar
10. ,, T. T. Kesavan Sastri
11. ,, Kaviyoor K. K. Kochukunju
12. Sahib Bahadur P. S. Muhamed
13. Sahib Bahadur N. M. AbdulKadr
14. Mr. K. Narayanaperumal Nadar
15. Mr. S Narayana Pillai
16. ,, R. Narayanan Nambootiri
17. ,, Kainikkara M. Padmanabha Pillai
18. ,, J. E. A. Pereira
19. ,, Kodiveettil C. Raman Kunju
20. ,, M. Ramiah Pillai
21. ,, P. Sivarama Pillai
22. ,, M. Sivathanu Pillai
23. ,, E. Subramonia Aiyar
24. ,, J. W. Tolson
25. Sahib Bahadur H. O. L. Marikar

The official members did not take part in the voting.

The Resolution was declared lost.

MR. K. P. KOCHUKORA TARAKAN: Sir, I move that this Assembly recommends to Government that in the recruitment to the Public Service proper and sufficient safeguard be made to ensure that the candidates chosen for recruitment state their respective communities truly and correctly."

തിരുവിതാംകൂറിലെ പബ്ലിക്കസർവീസിൽ ആദ്യകാലത്ത് ഏതാനും ചില സമുദായക്കാർക്കു കൂടുതൽ പ്രാതിനിധ്യം ലഭിച്ചു. അതിൻ ശേഷം പൊതുജനങ്ങളുടെ തുടരെയുള്ള നിവേദനങ്ങളുടേയും മുറവിളിയുടേയും ഫലമായി സമുദായപ്രാതിനിധ്യതത്വം അംഗീകരിച്ചു് നിയമനം നടത്തിത്തുടങ്ങി. അപ്പോൾ ക്രിസ്ത്യൻ സമുദായത്തിലുള്ള പല വിഭാഗങ്ങളിലും ഉൾപ്പെട്ട സമുദായങ്ങളുടെ പേരിൽ—അസമത്വസമുദായങ്ങളുടെ പേരിൽ—പ്രബലസമുദായങ്ങൾ ഉദ്യോഗം വാങ്ങിച്ചു

തുടങ്ങി എന്നുള്ളതു് പരസ്യമായ ഒരു സംഗതിയാണു്. ഇതിനെ സംബന്ധിച്ചു് ക്രിസ്ത്യൻസമുദായത്തിന്റെ നില എങ്ങിനെ ഇരിക്കുന്നു എന്നു് ഞാൻ അന്വേഷിച്ചു. പബ്ളിക്കുസർവീസിൽ പ്രാതിനിധ്യമുള്ള ആംഗ്ലിക്കൻ സഭാംഗങ്ങളും മാർത്തോമാസഭാംഗങ്ങളും യാക്കോബായക്കാരുടെ പേരിൽ ഉദ്യോഗം കൈക്കലാക്കിക്കൊണ്ടിരിക്കുന്നു. ഓരോ സമുദായവും അർഹിക്കുന്ന ഉദ്യോഗങ്ങൾ നൽകണമെന്നാണു് ഗവമ്മെന്റെ ഉദ്ദേശിക്കുന്നതു്. ഇങ്ങനെ കവർച്ചചെയ്തു് മററുള്ളവരുടെ അവകാശത്തെ കൈവശപ്പെടുത്തുന്ന രീതി നിറുത്തൽ ചെയ്യേണ്ടതു് ഗവർമ്മെന്റിന്റേയും പബ്ളിക്കുസർവീസിൽ റിക്രൂട്ടുചെയ്യുന്നതിനു് ചുമതലയുള്ളവരുടേയും ചുമതലയാണെന്നുള്ള വസ്തുത ഊന്നിപ്പറയാതെ നിവൃത്തിയില്ല. അതുകൊണ്ടു് അപേക്ഷകന്മാർ ഏതു സമുദായത്തിൽപ്പെട്ടവരാണെന്നു ആ സമുദായം ഉൾപ്പെട്ട സഭാമേലദ്ധ്യക്ഷന്റെ ഒരു സർട്ടിഫിക്കററു് അപേക്ഷഫാറത്തോടുകൂടി ചേർത്തിരിക്കണമെന്നും അപേക്ഷഫാറത്തിൽ അതിലേയ്ക്കു പ്രത്യേകകാളങ്ങൾ ഇടണമെന്നും വ്യവസ്ഥചെയ്യുണം. ഈ നിർദ്ദേശങ്ങളെ എന്റെ മാന്യസ്നേഹിതന്മാർ സ്വീകരിക്കണമെന്നു് അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

PRESIDENT: Here again, the question of law comes. There can be no effective penalty unless the law lays down that such a declaration or statement in the application about the community of the applicant is in the nature of affidavits. That will really be the way to deal with the matter. Now everybody recognises the evil. Especially when communal representation is recognised nobody wants to see a person getting an appointment by giving a false statement regarding the community to which he belongs. This evil cannot be met by a mere resolution.

MR. K. P. KOCHUKORA THARAKAN: നിങ്ങൾ ഉദ്ദേശിക്കുന്നതുപോലെ ഒരു കള്ള സർട്ടിഫിക്കററു് ഹാജരാക്കാൻ കിട്ടുന്നതു അത്ര എളുപ്പമല്ല. തങ്ങളുടെ സഭയിൽ ഉറച്ചു് നില്ക്കുന്നവർക്ക് മാത്രമെ സർട്ടിഫിക്കററു് കൊടുക്കുകയുള്ളു. അപ്രകാരം സത്യമായ ഒരു സർട്ടിഫിക്കററു് കിട്ടുന്നതിനു് പ്രയാസവുമില്ല. അതിനാൽ ഉദ്യോഗനിയമന വിഷയത്തിൽ കൃത്രിമം നടക്കാതിരിയ്ക്കത്തക്കവിധത്തിൽ വേണ്ട വ്യവസ്ഥകൾ ഉണ്ടാക്കുന്നതു ഏത്രയും ആവശ്യമാണു്. കൃത്രിമം ഉപയോഗിച്ചു പബ്ളിയ്ക്കുസർവീസിൽ കയറുന്നവൻ സർവീസിൽ കയറിയാലും കൃത്രിമംഉപയോഗിയ്ക്കുമെന്നുള്ളതും ഗവർമെന്റ അറിഞ്ഞിരിയ്ക്കേണ്ടതാണു്.

PRESIDENT: Supposing a person abandons one community or faith and takes up another in order to get a certain advantage. It would be difficult to investigate whether he does it permanently with a view to get certain advantages. If there is fraudulent intention or an underlying motive it is wrong and it must be punishable. So, this resolution may be a recommendation. But to bring this recommendation into force will mean herculean effort.

The motion before the House is that "This Assembly recommends to Government that in the recruitment to the Public Service proper and sufficient safeguard be made to ensure that the candidates chosen for recruitment state their respective communities truly and correctly."

The motion was put to vote and lost.

MR. K. P. KOCHUKORA THARAKAN: Sir, I demand a poll.

A poll was taken and the House divided as follows:

AYES.—3.

1. Mr. Kottalil P. Abraham
2. „ K. P. Kochukora Tharakan
3. Mr. Thariathu Kunjithommen

NOES.—5.

1. Mr. K. C. Karunakaran
2. „ K. G. Kunjukrishna Pillai
3. „ K. Kunju Panickar
4. Mr. P. Sivarama Pillai
5. „ Puliyoor T. P. Velayudhan Pillai

NEUTRALS.—42.

1. Mr. P. C. Adichan
2. „ S. Chattanatha Karayalar
3. „ M. L. D'Cruz
4. Srimati K. Devaki Antharjanam
5. Mr. K. Dominic Joseph
6. Sahib Bahadur H O. L. Marikar
7. Mr. E. E. Pandarathil
8. „ D. Francis
9. „ K. G. Govindan
10. „ S. Govinda Pillai
11. „ C. Jebamony Nadar
12. „ Kannanthodath Janardanan Nair
13. „ Padiyara Joseph Kunju
14. „ Joseph Vithayathil
15. „ V. Kunjukrishnan
16. „ Menatheri N. Kesava Panickar
17. „ M. G. Kesava Pillai
18. Mr. T. C. Kesava Pillai
19. „ T. T. Kesavan Sastri
20. „ Kaviyoor K. K. Kochukunju
21. „ Thamarappallil Kochuthommen
22. „ A. K. Kumaran Vaidyan
23. „ P. Kunjukrishnan
24. „ Warkala K. Madhavan
25. „ P. V. Mathai Chemparathy
26. Sahib Bahadur P. S. Muhamed
27. Sahib Bahadur N. M. Abdul Kadir
28. Mr. K. Narayanaperumal Nadar
29. „ S. Narayana Pillai
30. „ P. Narayana Pillai
31. „ K. R. Narayanan
32. „ R. Narayanan Nambootiri

33. Srimati T. Narayani Amma
34. Mr. Kainikkara M. Padmanabha Pillai
35. „ J. E. A. Pereira
36. „ N. Ramakrishna Pillai
37. „ Kodiveetil C. Ramankunju
38. Mr. M. Ramiah Pillai
39. „ M. R. Narayana Pillai
40. „ M. Sivathanu Pillai
41. „ E. Subramonia Aiyar
42. „ J. W. Tolson

The official members did not take part in the voting.

The resolution was declared lost.

PRESIDENT: That finishes our work in connection with the Report and all that I can say at this juncture is that it has given Government a very lively satisfaction that there has been so much co-ordinated effort. Government will most carefully consider and will deal with the matters with the weight and seriousness demanded by the circumstances. They will see that the resolutions recommended meet with the greatest measure of success.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, before passing to the next item of the agenda I may be permitted to move a formal motion placing on record the good work done by the Public Service Commissioner.

MR. P. S. MUHOMED: I second it.

The motion was put to vote and carried *nem con.*

PRESIDENT: Let me also associate very heartily with that suggestion. My thanks are due to Dr. Nokes in abandoning the pedestrian fields of law and come to an arena more difficult to combat but where he has acquitted himself under the circumstances with marked credit to the great benefit of the country and the Government.

DISCUSSION ON THE REPORT OF THE DEBT RELIEF ENQUIRY COMMITTEE.

PRESIDENT: The next item in the agenda is the consideration of the Debt Relief Enquiry Committee's Report.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, while in the committee yesterday, you assured us that very soon another session of the House will be held for the purpose of discussing the Debt Relief Bill. As it stands now in the agenda, what is to be done is to discuss the report. During the adjournment motion we had some discussion of the report. Any other important point that might have to be discussed can be discussed when the principle of the Bill is discussed and amendments are moved. Therefore, in the light of the promise made by you yesterday, that very soon a session will be called and the Bill itself will be introduced, I think that we need not take the time of the House to enter into any discussion of this Report now especially as there is not time enough for a full discussion of the subject.

MR. N. RAMAKRISHNA PILLAI (*Vaikom* cum *Kottayam*): Sir, I am also of the same opinion. A Bill on the lines indicated in the committee's report will soon be introduced in this House. It will be waste of time to discuss the report at this stage as there will be ample opportunity to discuss the salient features of the report at the time when

the Bill itself is introduced and considered clause by clause. The Government also desire, I think, that the Bill should be brought before the House as early as possible. The public are anxiously awaiting the introduction of the Bill at an early date. Therefore my submisssON is that it is unnecessary and superfluous to discuss in detail the several points that arise for consideration at this juncture.

MR. E. SUBRAMONIA AIYAR (*Nominated*): Sir, since a Bill as proposed by the Committee is to be introduced very soon there is no need now for such a discussion. I think it is the desire of Government to have the view points of every honourable member. I would submit that such a discussion will be very useful if it is carried on when the Bill is introduced. We have to discuss the nature of the Bill by moving amendments and considering the several clauses. Certainly this matter will not be here for discussion. Once Government have thought that it is better to have the views of the House before the Government make up their minds to introduce this Bill or a Bill in a different form, to me it appears that that object will be frustrated if, as a matter of fact, the matter is not discussed at some length. No doubt, there was an adjournment motion and there was a division thereon. The discussion under the adjournment motion was confined, if I may say so, to the urgent necessity of a legislation. The question what form the legislation should take no doubt has been the subject of a searching enquiry by a well constituted committee. However Government thought it well that it is better to have greater light thrown upon the several problems attendant on it.

The Government have after the report ha s emerged received elaborate memoranda and it is not impossible that this House can also express collectively or individually on the different matters. No doubt after the Bill has been brought in a particular form, we have the liberty to discuss the various principles, but much depends upon the form in which the Bill comes before them. The fundamental problem to be determined is not the practical measures which should be taken to carry out the object, but the exact nature of the relief. What should be the exact form of relief? There are agricultural debtors, trade debtors, there are one class of debtors, another class of debtors, one class of creditors and another class of creditors. We want to see whether the same relief should be given to all or some discriminatory measures adopted. These are, I think, problems which could be discussed here even before the Bill is introduced. Then, that will minimise the work of the Government and the Assembly. It appears to me to be the view which should commend itself to the President. No doubt, for other reasons which were beyond our control we were not able to discuss it early. So, this side of the question may also be considered since it is equally important and vital. Any how, the question of agricultural relief is one which will have a permanent effect upon the prosperity or otherwise of the people. It is a matter which requires deep thinking, searching investigation and it is not a mere experiment. I have set before the House the two view points and with these words I conclude.

MR. J.E.A. PEREIRA (*Commerce and Industry, South*): Sir, the matter of giving relief to the agricultural debtors in the State is one which has grown to alarming proportions. This House should not therefore loose time in taking up the consideration of the report of the Debt Relief Committee now and try to come to a conclusion so that relief measures may be made available as early as possible,

MR. M. R. NARAYANA PILLAI (*Tiruvella*): Sir, I support the proposition moved by Mr. Pereira. The adjournment motion has been moved and it has been carried. It is significant of the fact how the country is anxious to have a solution of the problem. It is high time that Government come forward with some adequate relief measure so that the suffering of the agricultural people may be put a stop to at the earliest opportunity. With these words I wholeheartedly support Mr. Pereira's motion.

MR. T. C. KESAVA PILLAI: വളരെ ദ്രുതഗതിയിൽ ഡെറ്റ്റിലീഫിന ഒരു തീരുമാനമുണ്ടാകണമെന്ന് നാട്ടിന്റെ നാനാഭാഗങ്ങളിലുമുള്ള സാധുക്കളായ കടക്കാർ അത്യാർത്തിയോടുകൂടി നോക്കിക്കൊണ്ടിരിക്കുന്നുണ്ട്. എന്നാൽ പണക്കാരായ ആളുകൾ പല സ്ഥലത്തും പ്രചരണവേലകൾ ചെയ്തു്, തീരുമാനം ചെയ്യുന്നതിനുള്ള നാൾ ദീർഘിപ്പിച്ചുവരുന്നു. ഒന്നരയോ രണ്ടോ മണിക്കൂർകൊണ്ട് ദീർഘമായ ഈ റിപ്പോർട്ടിനെ കർശനമായ പ്രസംഗങ്ങൾകൊണ്ട് വിമർശിച്ചു് ശരിപ്പെടുത്താൻ സാധിക്കുകയില്ല. അതിന്റെ ആവശ്യകതയും ഗൗരവവും എത്രമാത്രമുണ്ടെന്ന് തിരുവിതാംകൂറിലെ പ്രജകൾ മനസ്സിലാക്കീട്ടുണ്ട്. വളരെ ഉത്തരവാദിത്വമുള്ള ഒരദ്ധ്യക്ഷനും വിദ്വാന്മാരായ പല പണ്ഡിതന്മാരും നിയമപണ്ഡിതനായ ഗവർമ്മെന്റു പ്രതിനിധിയും ചേർന്നു പല പുസ്തകങ്ങളും പ്രസിദ്ധീകരണങ്ങളും നോക്കി തയാറാക്കിയിട്ടുള്ള ഒരു റിപ്പോർട്ടാണ് ഇതു്. അതിൽ വിപരീതാഭിപ്രായക്കാർ അവരുടെ അഭിപ്രായം രേഖപ്പെടുത്തീട്ടുണ്ട്. ഇന്ന് റിപ്പോർട്ടിനെപ്പറ്റി വിമർശനം നടത്തി രണ്ടുമണിക്കൂർ കഴിയുന്ന അവസരത്തിൽ അടുത്ത അസംബ്ലിയിലേക്ക് മാറും. അതിനുശേഷം റിപ്പോർട്ട് ബില്ലുരൂപത്തിൽ വരുമ്പോൾ വർഷം നാലു കഴിയും. ഏതെങ്കിലും വിധത്തിൽ ഒരു ബില്ലുവന്നാൽ അതിന് എതിരഭിപ്രായമുണ്ടെങ്കിൽ അതിലേക്ക് ഭേദഗതി കൊണ്ടുവന്നു് പാസാക്കുന്നതിന് സാധിക്കുന്നതാണ്. സഭയിലെ ഭൂരിപക്ഷം അംഗങ്ങളുടേയും താൽപ്പര്യങ്ങളെ നോക്കാതെ അങ്ങിനെ ചെയ്യണമെന്ന് ആരും ഉദ്ദേശിക്കുന്നില്ല. അതുകൊണ്ട് കാലതാമസംകൂടാതെ ഉടനടി ഈ വിഷമസ്ഥിതിയെ തടയുന്നതിന് ഒരു ബിൽ അസംബ്ലിയിൽ കൊണ്ടുവരണമെന്നു ഗവർമ്മെന്റിനോട് അഭ്യർത്ഥിക്കുകയും മി. പെരേരായുടെ നിശ്ചയത്തെ പിൻവലിക്കണമെന്ന് അപേക്ഷിക്കയും ചെയ്തുകൊള്ളുന്നു.

MR. S. CHATTANATHA KARAYALAR: It will be certainly advantageous for the Government if this House will place before the Government its definite views on the several recommendations contained in the report. I am afraid that within the limited time at our disposal it will be impossible for us to place definite proposals in a crystalised form before the Government. Unless this is done, it will serve no useful purpose for the Government. I think that since all the recommendations contained in the report are embodied in the Bill put forward by committee and since Government are keen upon introducing a Bill at the earliest opportunity this House will have ample opportunities to discuss the salient features of the report when the Bill comes before this House. I therefore suggest that the matter may be taken up at the next session of the House.

MR. M. SIVATHANU PILLAI: In offering a few remarks on the observations already made, on the question whether the Committee's report should be taken up for consideration now or not, I may, at the very start, ask the Government this question. What was the purpose of the change in the revised agenda paper, as discussion of the Report, as contrasted with the first agenda paper containing a Bill to give relief? It was included in the agenda that a Bill for the relief of agricultural debtors will be discussed and subsequently the Debt Relief Enqiry Committee's Report was included in the agenda as a matter for discussion at this Session. I ask the Government what was the intention of Government in changing the agenda like that? I understand that Government are very anxious to hear all the different view points of all the members of this House on this report before a Bill is framed by them. If the Government were desirous of inviting the views of different sections of this House, I do not know why the Government are not particular with regard to the continuance of the discussion, as the announcement was made here on the Government side.

PRESIDENT: The Government have not decided anything on this matter. I, as President of this House, ask whether the House wants to discuss it or not? What the Government are going to do is to introduce this Bill or some other Bill and those are not matters arising now.

MR. M. SIVATHANU PILLAI: My point is that the responsibility of introducing the Bill is now with the Government. Before the Government takes the responsibility of chalking out a Bill to be introduced later on, I say that the Government did well in having placed the report before the House for inviting its views on fundamental points. I only stress the necessity or the desirability of having a full-dress discussion of the report.

PRESIDENT: The motion before the House is that the report of the the Travancore Debt Relief Enquiry Committee be taken into consideration.

The motion was put to vote and lost.

MR. J. E. A. PEREIRA: Sir, I demand a poll.

A poll was taken and the House divided as follows:—

AYES—16.

1 Sahib Bahadur H. O. L. Marikar
2 Mr. C. Jebamony Nadar
3 „ Kannanthodath Janardanan Nair
4 „ Thamarapallil Kochuthommen
5 „ S. Krishna Aiyar
6 Sahib Bahadur M. K. Mackar Pillai
7 Sahib Bahadur N. M. Abdul Kadir
8 Mr. K. Narayanaperumal Nadar
9 „ S. Narayana Pillai
10 „ P. Narayana Pillai
11 „ J. E. A. Pereira
12 „ M. Ramiah Pillai
13 „ M. R. Narayana Pillai
14 „ M. Sivathanu Pillai
15 „ E. Subramonia Aiyar
16 „ J. W. Tolson

NOES—27.

1 Mr. Kottalil P. Abraham
2 „ P. C. Adichan
3 „ S. Chattanatha Karayalar
4 „ K. Dominic Joseph
5 „ E. E. Pandarathil
6 „ D. Francis
7 „ S. Govinda Pillai
8 „ M. L. Janardhana Pillai
9 „ N. John Joseph
10 „ Padiyara Joseph Kunju
11 „ Joseph Vithayathil
12 „ K. C. Karunakaran
13 „ Menatheri N. Kesava Panickar
14 „ M. G. Kesava Pillai
15 „ T. C. Kesava Pillai
16 Mr. T. T. Kesavan Sastri
17 „ K. P. Kochukora Tharakan
18 „ Kaviyoor K. K. Kochukunju
19 „ Thariathu Kunjithommen
20 Sahib Bahadur P. S. Muhamed
21 Mr. N. Narayana Kurup
22 „ K. R. Narayanan
23 „ Kainikkara M. Padmanabha Pillai
24 „ N. Ramakrishna Pillai
25 „ Kodiveetil C. Ramankunju
26 „ P. Sivarama Pillai
27 „ Puliyoor T. P. Velayudhan Pillai

NEUTRALS—12.

1 Mr. M. L. D'Cruz
2 Srimathi K. Devaki Antharjanam
3 Mr. K. G. Govindan
4 „ A. K. Kumaran Vaidyan
5 „ P. Kunjukrishnan
6 „ Murukkumpuzha V. Kunjukrishnan
7 Mr. K. G. Kunjukrishna Pillai
8 „ K. Kunju Panickar
9 „ Warkala K. Madhavan
10 „ P. V. Mathai Chemparathy
11 „ R. Narayanan Nambootiri
12 Srimati T. Narayani Amma

The official members did not take part in the voting.

The motion was declared lost.

LEGISLATIVE BUSINESS.

The Travancore Rubber Control Bill.

Mr. PUTHUPALLY S. KRISHNA PILLAI: Sir, I rise to present the Report of the Select Committee on the Travancore Rubber Control Bill and move that the Bill, as amended, be taken into consideration.

Mr. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

Clauses 1 to 36.

The question that clauses 1 to 36 do form part of the Bill was pu and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put and carried.

The Preamble and Title were added to the Bill.

MR. PUTHUPALLY S. KRISHNA PILLAI: Before moving for the third reading of the Bill, I would suggest a small amendment that the figure 5 may be inserted after the figure III.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to move that the Travancore Rubber Control Bill be passed.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

THE TRAVANCORE BANKERS BOOKS EVIDENCE BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to present the report of the Select Committee on the Travancore Banker's Books Evidence Bill and move that the Bill, as reported, be taken into consideration.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

Clauses 1 to 7.

The question that clauses 1 to 7 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

MR. PUTHUPALLY S. KRISHNA PILLAI: As no amendment has been made, I move that the Bill be passed.

MR. C. V. CHANDRASEKHARAN I second it.

The motion was put to vote and carried.

THE TRIVANDRUM CITY MUNICIPAL BILL.

MR. PUTHUPALLY S. KRISHNA PILLAI: The next item in the Agenda is the second reading of the Trivandrum City Municipal Bill. I find that various amendments have been proposed and also that certain representations have been received that some of the Sections in the Bill require further consideration. In view of the great importance and the complexity of the Bill, I submit that I am not making the motion for its consideration at this stage.

PRESIDENT: Yes.

THE TRAVANCORE CENSUS BILL.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to introduce the Travancore Census Bill. Government have decided in consonance with the decision arrived at by the Government of India to take a general Census in 1941. Preliminary steps have been taken for the purpose and a Census Commissioner has been appointed. It is necessary that he should be armed with the necessary powers in order that the work of taking the Census may be proceeded with vigorously. This Bill has been prepared on the lines of the last Census Act, with certain slight verbal variations, found necessary from the draftsman's point of view. The changes in substance are made only in relation to the penal provisions. When the punishment for a breach of the provisions of the last Act was Rs. 50, it is proposed in the present Bill that the penalty shall be Rs. 200. This is the provision contained in the British Indian Census Act.

I move that the Bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be "The Travancore Census Bill."

MR. PUTHUPALLY S. KRISHNA PILLAI: I request you, Sir, to suspend Standing Order No. 34 and permit me to move for the consideration of the Bill.

PRESIDENT: The Standing Order is suspended.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to move that the Travancore Census Bill be taken into consideration.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

MR. PUTHUPALLY S. KRISHNA PILLAI: As no amendment has been proposed, the Bill may be taken up for consideration clause by clause.

Clauses 1 to 14.

The question that clauses 1 to 14 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put to vote and carried.

The Preamble and Title were added to the Bill.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to move that the Bill be passed.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

THE TRAVANCORE REFORMATORY SCHOOLS ACT (AMENDMENT) BILL.

MR. PUTHUPALLY S. KRISHNA PILLAI: The only remaining item of legislative business is the one relating to the Travancore Reformatory Schools Act (Amendment) Bill. It is a very small Bill containing only one or two clauses conferring power on Government to frame rules for granting youthful offenders short periods of vacation. At present those who are incarcerated in the Reformatory School are not entitled to enjoy any vacation. Under the Madras Act, provision is made for granting short periods of vacation. It has been recommended by the Committee of Visitors of the Reformatory School that we should also effect a reform in our Act, so that the same concession may be shown to the youthful offenders kept in our Reformatory School also. I beg leave to introduce the Bill and move that the Bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN: I second it

The motion was put to vote and carried.

SECRETARY: The Title of the Bill shall be "The Travancore Reformatory Schools Act (Amendment) Bill."

MR. PUTHUPALLY S. KRISHNA PILLAI: I request you, Sir, to suspend Standing Order No. 34.

PRESIDENT: Yes, The standing Order is suspended.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to move that the Bill be taken into consideration.

MR C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried

Clauses 1 and 2.

The question that clauses 1 and 2 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the Preamble and Title do form part of the Bill was put and carried.

The Preamble and Title were added to the Bill.

MR. PUTHUPALLY S. KRISHNA PILLAI: I move that the Bill be passed.

MR. C. V. CHANDRASEKHARAN: I second it.

The motion was put to vote and carried.

PRESIDENT: The House will now adjourn and meet again to-morrow at 11 A. M.

The House adjourned at 3-25 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS

of

THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

SECOND ASSEMBLY.

SIXTH SESSION.

Saturday, the 27th January 1940/14th Makaram 1115.

The Assembly met again in the Legislative Chamber at eleven of the clock with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E. LL. D., Dewan President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls:

(1) Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*)

(2) Mr. G. Narayanan Tampi (*Secretary to Government*)

(3) Mr. P. Raman Pillai (*Conservator of Forests*)

QUESTIONS AND ANSWERS.

Compensation grants to Municipalities.

179. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapalli cum Kartigapalli*): Will the Government be pleased to state:

(*a*) whether compensation grants are given to Municipalities, after the abolition of municipal tolls;

(*b*) the amounts paid to each Municipality in 1113 and 1114; and

(*c*) the amount of toll collected by each of those Municipalities in the year prior to that of the abolition of municipal tolls?

MR. G. NARAYANAN TAMPI: (*a*) Yes.

(*b*) The amounts sanctioned as grants during 1113 and 1114 are as follows:—

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G. P. T. 2189—350—595.

[Mr. G. Narayanan Tampi]

		1113	1114
		Rs.	Rs.
Trivandrum	...	15,000	13,000
Nagercoil	...	12,000	12,000
Quilon	...	...	2,300
Alleppey	...	3,600	3,600
Kottayam	...	3,000	3,000
Kayamcolam	...	...	4,000
Tiruvalla	...	5,000	3,500
Vaikom	...	500	700
Parur	...	...	500
Colachel	...	1,000	1,200
Padmanabapuram	...	500	500
Neyyattinkara	...	1,000	1,000
Attingal	...	1,500	1,500

(c) The amounts collected as tolls during the year 1107 by the various Municipal Councils were as follows :—

		Rs.
Trivandrum	...	24,377
Nagercoil	...	15,736
Quilon	...	9,567
Alleppey	...	8,019
Kayamcolam	...	12,242
Tiruvalla	...	3,185
Shencottah	...	3,248
Vaikom	...	790
Parur	...	1,190
Changanacherry	...	18
Colachel	...	1,144
Padmanabhapuram	...	...
Neyyattinkara	...	...
Kuzhithura	...	...
Attingal	...	11,072
Kottayam	...	12,299
Alwaye	...	...

Land Revenue in the Quilon Division.

180. * MR. KANNANTHODATH JANARDANAN NAIR : Will the Government be pleased to state :

(a) the amount of land revenue remitted for 1113 and 1114 in the Quilon Division ;

(b) the amount of demand notice fee and process fee collected from the same Division in 1113 and 1114 ;

(c) the number of auction sales conducted in 1113 and 1114 in the same Division for the recovery of land tax ; and

(d) the amount of land revenue to be collected from there in 1113 and 1114 ?

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner*) : (*a*) to (*d*) A *statement furnishing the information is laid on the table.

MR. KANANTHODATH JANARDANAN NAIR : In the answer it is stated that the amount of land revenue remitted is Rs 25,703-17-12 and in another part it is stated that the demand notice fee and process fee realised is Rs. 36,124-16-0. May I know why the demand notice fee collected is in excess of the tax actually remitted? May I know whether remission is not given in appreciation of the incapacity of the tax-payer to pay tax?

MR. M. RAMACHANDRA RAO : That aspect has also been considered.

MR. KANANTHODATH JANARDANAN NAIR : May I know whether it is in the interests of the department that such amounts are collected from the tax-payers?

MR. M. RAMACHANDRA RAO : During last year a part of the demand notice fee was also remitted in the Quilon Division.

MR. KANNANTHODATH JANARDANAN NAIR: It is apart from the demand notice fee that was collected the tax was remitted?

MR. M. RAMACHANDRA RAO : For the member's information I may say that a part of the demand notice fee was also remitted.

Canal Office at Eloor.

181. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to state whether they have enquired into the necessity of shifting the Canal Office at Eloor, Varapuzha to Chettibhagam?

MR. M. S. DORASWAMI AIYANGAR (*Ag. Chief Engineer*) : Yes.

MR. A. K. KUMARAN VAIDYAN : വരാപ്പുഴയുള്ള കനാൽ ആഫീസു ചെട്ടിഭാഗത്തേയ്ക്കു മാററണമെന്നു അവിടത്തെ ജനങ്ങൾ അപേക്ഷിച്ചിരുന്നു. അതിന്റെ ഫലം എന്തെന്നറിഞ്ഞാൽകൊള്ളാം.

MR. M. S. DORASWAMY AIYANGAR : It is not considered desirable to shift the office.

Parur-Chathanad road.

182. ***MR. A. K. KUMARAN VAIDYAN** : Will the Government be pleased to state:

(*a*) the year in which the Parur-Chathanad road was sanctioned; and

(*b*) the reasons for not completing the construction of the road?

MR. M. S. DORASWAMI AIYANGAR : (*a*) The road has been under Departmental maintenance from prior to 1098.

(*b*) The entire road is under maintenance and no portion remains to be taken up.

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*Vide Appendix I page 421.

Cartable road between Parur and Munambam.

183. *** MR. A. K. KUMARAN VAIDYAN :** Will the Government be pleased to state what steps they have taken for the construction of a cartable road between Parur and Munambam ?

MR. M. S. DORASWAMI AIYANGAR : Preliminary enquiries have been made and detailed estimate ordered to be prepared when funds become available.

Thannipuzha-Kaladi Ferry.

184. ***MR. A. K. KUMARAN VAIDYAN :** Will the Government be pleased to state whether they have enquired into the necessity of constructing steps on both sides of the Thannipuzha-Kaladi ferry in Kunnatnad taluk ?

MR. M. S. DORASWAMI AIYANGAR : Yes.

Construction of a bridge across the Chemmayam Ferry.

185. ***MR. A. K. KUMARAN VAIDYAN :** Will the Government be pleased to state whether they have received representations regarding the necessity to construct a bridge across the Chemmayam ferry in Parur taluk ?

MR. M. S. DORASWAMI AIYANGAR : Yes.

Cartable road between Munambam and Moothakunnam.

186. *** MR. A. K. KUMARAN VAIDYAN :** Will the Government be pleased to state whether they have received representations regarding the necessity of constructing a cartable road between Munambam and Moothakunnam in Parur taluk and what action they have taken ?

MR. M. S. DORASWAMI AIYANGAR : No representations have been received.

Public Market at Munnar.

187. *** MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad cum Parur*) : Will the Government be pleased to state whether the necessity for opening a public market at Munnar has come to their notice

MR. M. RAMACHANDRA RAO : No.

License fee under the Arms Act.

188. *** MR. KOTTALIL P. ABRAHAM** (*Muvattupuzha cum Devicolam*): Will the Government be pleased to state :

(*a*) whether they make any reduction or remission in the license fees taxed for a year under the Arms Act proportionate to the period in the year for which the applicants are deprived of the benefit of the licenses owing to the delay in granting renewal of the licenses ;

(*b*) the last date in a year within which a licensee should apply for renewal so as to enable him getting his license renewed on the 1st day of the succeeding year ; and

(*c*) whether the licensees should produce along with their arms the original licenses before the checking officer under the Arms Act?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*):

(*a*) No.

(*b*) Application should be made within a reasonable time before the closing of the year.

(*c*) Yes.

MR. KOTTALIL P. ABRAHAM: May I know in answer to part (*b*) what would be considered as the reasonable time within which a licensee should apply for renewal?

MR. M. K. NILAKANTA AIYAR: There is no such thing as 'reasonable time.' It would depend upon the time and convenience of the officer and the local conditions.

MR. KOTTALIL P. ABRAHAM: Then may I know what would be considered as reasonable time so far as private person is concerned?

MR. M. K. NILAKANTA AIYAR: Normally one month.

Guns or arms deposited in Police Stations.

189. ***MR. KOTTALIL P. ABRAHAM**: Will the Government be pleased to state:

(*a*) the total number of guns or arms deposited from 1-1-1115 to 15-3-1115 in the several Police Stations of the State pending the renewal of license for the year 1115;

(*b*) the number of such guns or arms withdrawn up to 15-3-1115;

(*c*) whether the guns or arms, when under deposit, are cleaned against rust by any person; and

(*d*) if so, by whom and where?

MR. M. K. NILAKANTA AIYAR: (*a*) 994.

(*b*) 112.

(*c*) Yes.

(*d*) Sometimes by owners and at other times by policemen in stations.

MR. KOTTALIL P. ABRAHAM: In answer to parts (a) and (b) am I to take it that so many of these guns are not required and withdrawn on account of the license not being given at the proper time?

MR. M. K. NILAKANTA AIYAR: I am not in possession of the facts.

Women Constables.

190. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the lady constables recruited to the Police Department?

MR. M. K. NILAKANTA AIYAR:

A statement* is laid on the table.

MR. N. NARAYANA KURUP (*Ambalapuzha cum Shertala*): May I know the pay of the lady constables so recruited to the Police Department?

**Vide* Appendix II, page—421

MR. M. K. NILAKANTA AIYAR : They are given the ordinary constable's pay.

MR. N. NARAYANA KURUP : May I know whether any police uniform is given to those recruits ?

MR. M. K. NILAKANTA AIYAR : No, Sir.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*) : May I know whether there were applicants from the S. I. U. C. community ?

MR. M. K. NILAKANTA AIYAR : No, Sir.

Clerks from the Varnava Community in the Telephone Section.

191. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*) : Will the Government be pleased to state :

(*a*) the number of persons appointed as clerks from the Varnava Community (Pathiyan, Vannan or Mannan, Chayakkaran or Pandy Mannan, Ettali, Purathon, Velan, Neriyan and Paravan) in the Telephone Section ; and

(*b*) the number respectively of both acting and permanent hands among them ?

MR. M. K. NILAKANTA AIYAR : (*a*) One.

(*b*) He is substantive in the temporary appointment.

Clerks in the Secretariat belonging to the class "Other Hindus."

192. ***MR. KAVIYOOR K. K. KOCHUKUNJU** : Will the Government be pleased to lay on the table a statement, by caste, of clerks in the Secretariat belonging to the class "Other Hindus" ?

MR. M. K. NILAKANTA AIYAR :

The statement* is laid on the table.

MR. KAVIYOOR K. K. KOCHUKUNJU : ഡോബിവർഗത്തിൽപെട്ട ഒരാളെ നിയമിച്ചിട്ടുണ്ടെന്നു കാണുന്നു. ഇത് വർണ്ണവസമുദായത്തിന്റെ സബ് ഡിവിഷൻകൂടി ഉൾപ്പെടുത്തിയാണോ പറഞ്ഞിരിക്കുന്നത്?

MR. M. K. NILAKANTA AIYAR : വർണ്ണവസമുദായത്തിൽപ്പെട്ട ആളാണെന്നറിയാം. പേര് നടരാജൻ എന്നാണ്.

MR. KAVIYOOR K. K. KOCHUKUNJU : വർണ്ണവസമുദായത്തിൽ നിന്നും പബ്ളിക്കുസർവീസിലിരിക്കുന്നവരുടെ പട്ടിക ആവശ്യപ്പെട്ടപ്പോൾ സർവീസിലിരിക്കുന്ന മററുവർഗക്കാരെക്കൂടി ഉൾപ്പെടുത്തിയാണ് മറുപടി തരുന്നത്.

MR. M. K. NILAKANTA AIYAR : വർണ്ണവസമുദായത്തിൽപ്പെട്ട ആളാണെന്നും പേര് നടരാജനാണെന്നും മാത്രം അറിയാം.

MR. KAVIYOOR K. K. KOCHUKUNJU : സർവീസിലിരിക്കുന്നവരുടെ പട്ടിക ആവശ്യപ്പെട്ടപ്പോൾ വർണ്ണവസമുദായത്തിന്റെ സബ് ഡിവിഷനിൽപ്പെട്ട എല്ലാവരേയും കൂടിച്ചേർത്താണ് മറുപടി തരുന്നതെന്നുള്ള വിവരം അറിയാമോ ?

*Vide Appendix III page—422

MR. M. K. NILAKANTA AIYAR : പബ്ലിക്കസർവീസ് റിക്രൂട്ടമെൻറു റൂംസിൽ വർണ്ണവസമുദായം എന്നൊരു പട്ടികയില്ല.

MR. KAVIYOOR K. K. KOCHUKUNJU : മറുഹിന്ദുക്കൾ എന്നു പറഞ്ഞിട്ടുണ്ട്.

MR. M. K. NILAKANTA AIYAR : അതിനെപ്പററി പ്രത്യേകം ചോദ്യം ചോദിച്ചിരുന്നുഎങ്കിൽ അതിന് മറുപടി പറയാമായിരുന്നു.

Culvert between the 4th and 5th mile stones in Uthiyankulangara-Kulathoor Chavadi road.

193. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara* cum *Trivandrum*): Will the Government be pleased to state:

(*a*) whether representations have been received regarding the construction of a culvert between the 4th and 5th mile stones in Uthiyánkulangara (ഉതിയൻകുളങ്ങര) Kulathoor Chavadi road (കുളത്തൂർ ചവടി റോഡ്);

(*b*) whether any estimate has been prepared; and

(*c*) if so, what action has been taken on it?

MR. M. S. DORASWAMI AIYANGAR : (*a*) Yes.

(*b*) Yes.

(*c*) No action was taken on the estimate owing to want of funds.

Ryots' road from the W. F. road to the Perumbavoor-Puthencruz road.

194. ***MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to state:

(*a*) whether they have received in 1107 a representation from the people for taking over, as per the ryots' road rules, 3¾ miles of a road opened by the people from the 8th mile 8th furlong of the W. F. road (in Kunnatnad taluk) to the Perumbavoor-Puthencruz road at the 8th mile 5th furlong, *via* Peringol, Mangattoor, Kadayirippu, Ezhupra and Valampur in the pakuthies of Aikaranad and Kunnatnad;

(*b*) whether every land owner who has surrendered lands necessary for the construction of the above road has given the required statements under the rules to that effect, to the Revenue authorities;

(*c*) if so, the action taken by the Government in the matter; and

(*d*) the stage at which the steps taken in respect of the above road stand at present?

MR. M. S. DORASWAMI AIYANGAR : (*a*) & (*b*) Yes.

(*c*) & (*d*) The estimate is ready, but the work has not been taken up for want of funds.

Sluice in the Channel from Kothachira to Thazhakkara Punja.

195. ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

[Mr. P. Narayana Pillai.]

(a) whether they have received any representations from the people of Thazhakkara and the neighbouring pakuthies of Mavelikara taluk for the construction of a sluice in the channel running from Kothachira to Thazhakkara Punja;

(b) whether anything has been done in connection with this work; and

(c) if not, the reason for the same?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) Investigation is being made.

(c) This does not arise.

Food Control Committees.

196. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(a) the places where Food Control Committees have been constituted;

(b) the number of members in each of these Committees; and

(c) the number of members in each of these Committees who are carrying on commercial business?

MR. M. K. NILAKANTA AIYAR: (a), (b) & (c) A *statement containing the information is laid on the table.

Casualty in the mines at the Clay Refining and Porcelain Factory at Kundara.

197. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(a) whether any casualty has occurred in the mines at the Clay Refining and Porcelain Factory at Kundara till this date; and

(b) if so, the nature of the occurrence and causes thereof?

MR. M. K. NILAKANTA AIYAR: (a) No.

(b) The question does not arise.

MR. P. NARAYANA PILLAI: May I know the officer in charge of the mining operation?

MR. M. K. NILAKANTA AIYAR: Mr. Dogar Singh.

MR. P. NARAYANA PILLAI: May I know whether there is an experienced assistant in the mining operations under him?

MR. M. K. NILAKANTA AIYAR: There is a mining engineer under him.

MR. P. NARAYANA PILLAI: May I know whether there is any waste in respect of that operation?

MR. M. K. NILAKANTA AIYAR: Government are not aware.

Colony for the Backward Communities in Kuttanad.

198. ***MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state whether the question of establishing a colony for the members of the backward communities in Kuttanad has been considered by them?

MR. M. K. NILAKANTA AIYAR: Yes.

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*Vide Appendix IV page—422.

MR. T. T. KESAVAN SASTRI: അതിലേക്ക് പ്രത്യേകം വല്ലസ്ഥലവും എടുത്തിട്ടുണ്ടോ ?

MR. M. K. NILAKANTA AIYAR: ഉണ്ടു്. അമ്പലപ്പുഴ താലൂക്കിൽ പുറക്കാട്ട ഇല്ലിച്ചേരി റിസർവിൽനിന്നും ൧൦ ഏക്കർസ്ഥലം ഈ ആവശ്യത്തിലേക്കായി എടുത്തിട്ടുണ്ടു്.

Destruction of the Bhajana-Mandiram of the backward communities in Erumeli.

199. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state:

(*a*) whether petitions have been received by the Police in connection with the destruction by fire of the Bhajana-Mandiram of the backward communities at the Poryanmala in Erumeli, Kanjirappalli pakuthi, Changanachery taluk; and

(*b*) if so, the action taken in respect of those petitions?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) The petitions were enquired into by the Inspector of Police, Kanjirapally, and the allegations were found to be baseless.

MR. T. T. KESAVAN SASTRI: പോലീസിന്റെ അന്വേഷണത്തിൽ ഈ സംഭവം എങ്ങനെ ഉണ്ടായിഎന്നാണു മറുപടി കിട്ടിയിട്ടുള്ളതു്?

MR. M. K. NILAKANTA AIYAR: അഞ്ചുരൂപാ ചിലവാക്കി ഒരു പുരകെട്ടിയിട്ടുണ്ടായിരുന്നു. അതു് നശിച്ചുപോയി എന്നു് അറിവുകിട്ടി.

MR. T. T. KESAVAN SASTRI: അതു ഒരു ആരാധനസ്ഥലമായിരുന്നു എന്നുള്ള വിവരം അറിയാമോ ?

MR. M. K. NILAKANTA AIYAR: ആരാധനസ്ഥലമായി ഉപയോഗിക്കാൻ കെട്ടിയിട്ടുള്ളതാണു് എന്നാണു് അറിവു കിട്ടിയതു്.

MR. T. T. KESAVAN SASTRI: ആരുമുഖേന അഗ്നിക്കിരയാക്കി എന്നറിയാമോ ?

MR. M. K. NILAKANTA AIYAR: അന്വേഷണത്തിൽ യാദൃഛികമായി സംഭവിച്ചിട്ടുള്ളതാണെന്നാണു് അറിവുകിട്ടിയതു്.

MR. T. T. KESAVAN SASTRI: ഇങ്ങനെ ഒരു ആരാധനസ്ഥലം ഉണ്ടാക്കി ഉപയോഗിച്ചുവരുന്നതിൽ ചിലർക്ക് വൈരാഗ്യമുണ്ടെന്നുള്ളതിനെപ്പറ്റി വല്ല റിപ്രസെൻറേഷനും കിട്ടിയിട്ടുണ്ടോ ?

MR. M. K. NILAKANTA AIYAR: റിപ്രസെൻറേഷൻ ഒന്നും കിട്ടിയിട്ടില്ല. ഒരു ഹർജി കിട്ടിയിട്ടുണ്ടു. അതിനെപ്പറ്റി അന്വേഷിച്ചതിൽ അതു് ശരിയല്ലെന്നാണു മനസിലായതു്.

MR. T. T. KESAVAN SASTRI : ഇതുപോലെയുള്ള രണ്ടുമൂന്നുസ്ഥലങ്ങളിൽ തീപിടിച്ചിട്ടുണ്ടെന്നുള്ള വിവരം ഗവർമ്മെൻറിനറിയാമോ ?

MR. M. K. NILAKANTA AIYAR : അറിയാൻ പാടില്ല.

MR. T. T. KESAVAN SASTRI : ഈ വിഷയത്തിൽ അവശസമുദായങ്ങൾ വളരെ സങ്കടം അനുഭവിച്ചുകൊണ്ടിരിക്കുന്നതിനാൽ ഈ സംഗതിയിൽ ഗവമ്മെൻറു് ദയവായി ശ്രദ്ധിക്കുമോ ?

MR. M. K. NILAKANTA AIYAR : അതിനെപ്പറ്റി അന്വേഷിക്കുന്നതാണു.

Arrangement for announcing correct time in Municipalities.

200. *MR. KANNANTHODATH JANARDANAN NAIR : Will the Government be pleased to state ;

(*a*) whether there is any arrangement for announcing correct time in any municipality ; and

(*b*) if the answer is in the negative, the reason therefor ?

MR. G. NARAYANAN TAMPI (*a*) Yes. The Muncipalities of Kottayam, Tiruvalla and Parur have made arrangements.

(*b*) In view of the answer to part (*a*) this does not arise.

MR. KANNANTHODATH JANARDANAN NAIR: May I Know whether any arrangement would be made in the Quilon and Alleppey Municipalities for announcing correct time?

MR. G. NARAYANAN TAMPI : It is a matter entirely within the disretion of the Municipal Presidents and Councils concerned.

MR. C. JEBAMONY NADAR : May I know from Government whether any report has been received from the Padmanabhapuram Municipality stating about the arrangements made in regard to the announcement of correct time in that Municipality ?

MR. G. NARAYANAN TAMPI : Government have so far received no report from the Padmanabhapuram Municipality in the matter.

Sale of shares of the Credit Bank.

201. *MR. KANNANTHODATH JANARDANAN NAIR : Will the Government be pleased to state :

(*a*) how many shares of the Credit Bank were put in the market for sale ;

(*b*) how many of them were sold ;

(*c*) the number of shares taken by Travancoreans ; and

(*d*) the number of shares taken by non-Travancoreans ?

MR. M. K. NILAKANTA AIYAR : (*a*) 25,000.

(*b*) 17,324.

(*c*) 14.287 (13,000 by Government).

(*d*) 3037.

Contract for sale of timber.

202. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(a) whether the Government have entered into a contract with one Rajagopalachariar for selling timber; and

(b) if the answer to part (a) is in the affirmative, whether they will be pleased to lay on the table a copy of the agreement?

MR. P. RAMAN PILLAI: (a) No.

(b) This does not arise in view of the answer to (a).

Agreement with the K. D. H. P. Company.

203. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state whether the Kannan Devan Hills Produce Company has requested them to renew their agreement with the Government?

MR. M. RAMACHANDRA RAO: No.

PRESIDENT: I find a number of questions relating to the renewal of agreement with the K. D. H. P. Co. Ltd.. Some members seem to have asked them under some kind of knowledge and I do not know how far they are correct. Will the Land Revenue Commissioner enlighten the House the ground on which such questions have come up before the house?

MR. M. RAMACHANDRA RAO: I think there has been some misapprehension about the agreement with the K. D. H. P Company. The reason seems to be this. As a result of certain correspondence the K. D. H. P. Company has agreed to pay Rs. 8,000 annually as additional tax for the lands in their possession. Perhaps the idea of a new agreement was due to this. I may state for the information of the House that the agreement with the K. D. H. P. Company is a permanent one and not for any definite period.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvella*): May I know whether there was an arrangement by the K. D. H. P. company to bring the whole extent of the land leased out to them under cultivation?

MR. M. RAMACHANDRA RAO: No, Sir.

PRESIDENT: There is considerable misconception engineered in the matter.

Ryots' road from the first mile of the Koottikkal trace to Maramatty ferry.

204. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state:

(a) whether any application has been received by them or by the Chief Engineer stating that a ryots' road from the first mile of the Kootikkal trace in the Alwaye sub-division, Alwaye Division, to Maramatty ferry in Periyar has been constructed by the people and praying that the said road might be taken over by the P. W. Department, that necessary bridges and culverts be constructed and maintenance works done by the Department;

[Mr. K. P. Kochukora Tharakan.]

(b) if so, the action taken thereon till now and at what stage the matter stands at present; and

(c) whether any request has been made to the authorities concerned for surveying the said ryot's road by the Surveyor of the P. W. Department and preparing a plan thereof?

MR. M. S. DORASWAMI AIYANGAR : (a) Yes.

(b) The petitioners were informed that the road would be taken up for departmental maintenance after cutting it as per the ryots' road rules.

(c) There was an oral request to the Executive Engineer.

Issue of licenses for foreign-made guns.

205. ***MR. KOTTALIL P. ABRAHAM**: Will the Government be pleased to state:

(a) whether they have made any rule or given any direction to District Magistrates prohibiting the issue of licenses for foreign-made guns in any particular part of the State; and

(b) whether any District Magistrate has refused renewal in 1115 of any license on the ground that the license applied for is for foreign-made guns?

MR. M. K. NILAKANTA AIYAR: (a) No.

(b) Yes.

MR. KOTTALIL P. ABRAHAM: In answer to part (b) may I know whether any person is permitted to use a foreign-made gun?

MR. M. K. NILAKANTA AIYAR: There is no such prohibition.

MR. KOTTALIL P. ABRAHAM: Then why is it that some of the District Magistrates refuse to give licenses for the use of foreign-made guns?

MR. M. K. NILAKANTA AIYAR: Because they might not have produced a permit from the Game Association, Peermade.

Sub-Treasury at Chengannur.

206. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: Will the Government be pleased to state:

(a) whether the Land Revenue Commissioner on behalf of the Government has undertaken during the last Budget Session of the Sri Mulam Assembly, to take steps for the establishment of a Sub-Treasury at Chengannur; and

(b) the steps taken by the Government or the Land Revenue Commissioner in the matter?

MR. M. K. NILAKANTA AIYAR: (a) No. The Land Revenue Commissioner had only stated that the matter was engaging the attention of Government.

(b) Government have decided that the question of opening a Sub-Treasury at Chengannur may lie over for the present.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from Government the reason for the decision that the question of opening a Sub-Treasury at Chengannur may lie over for the present?

MR. M. K. NILAKANTA AIYAR: The reason for such a decision is purely on account of the financial stringency.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether the ex-Land Revenue Commissioner has submitted a report regarding the urgent necessity for the establishment of a Sub-Treasury at Chengannur?

MR. M. K. NILAKANTA AIYAR: Reports from officers of Government are confidential.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether that officer had actually submitted a report? I do not make any request to know about the details of that report.

PRESIDENT: The honourable member did. But now he withdraws it.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether the ex-Land Revenue Commissioner had submitted a report to Government to the effect that one of the magistrates may be entrusted with treasury work?

MR. M. K. NILAKANTA AIYAR: That the report is confidential has been referred to by me.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then May I know the approximate cost of opening a sub treasury at Chengannur per annum?

MR. M. K. NILAKANTA AIYAR: Rs. 3400 per annum.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether Government had taken into consideration the question that there are two Magistrates' Courts at Chengannur and whether one of them can be entrusted with the duty of the treasury work?

MR. M. K. NILAKANTA AIYAR: Government have fully considered that question.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then may I know the decision arrived at by Government in that matter?

MR. M. K. NILAKANTA AIYAR: It is not possible to entrust the Magistrates with the duty of Treasury Officers.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason for that?

MR. M. K. NILAKANTA AIYAR: Having regard to the pendency in the files of the two Magistrates' Courts, treasury work cannot be tacked on to them.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the number of cases that were pending at the end of 1114 in the file of the second class Magistrate's Court at Chengannur?

MR. M. K. NILAKANTA AIYAR: The information is not available at present.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know, what were the reasons which weighed with Government to answer that the files of the Magistrates' Courts are such that they cannot be entrusted with treasury work?

MR. M. K. NILAKANTA AIYAR: That is due to the average number of cases during the last two or three years.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the average number of cases on the file of the Second Class Magistrate's Court for the last three years?

MR. M. K. NILAKANTA AIYAR: If the member would kindly see me during the lunch interval, I shall give him the necessary information. I have not got the information ready.

Construction of sheds in the Perumbavur Vegetable Market.

207. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) whether any steps have been taken for constructing sheds in the Perumbavur vegetable market, in pursuance of the statement of the Land Revenue Commissioner in the last Budget Session that a certain amount had been sanctioned for that purpose; and

(*b*) if so, what those steps are and at what stage the matter stands at present?

MR. M. RAMACHANDRA RAO: (*a*) and (*b*) No, as it was too late then for the P. W. D. to execute the work. The necessary funds have now been provided for the work and the P. W. D. has instructions to carry out the same this year itself.

Amendments to Rules 508 (3), 510 and 511 of the Civil Courts Guide.

208. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastiswaram*): Will the Government be pleased to state:

(*a*) whether the High Court Registrar has issued a notification in the Government Gazette dated the 22nd August 1939 /6th Chingam 1115 regarding certain amendments to Rules 508 (3), 510 and 511 of the Civil Courts Guide;

(*b*) the purpose of making such amendments; and

(*c*) whether the minimum work prescribed was turned out in the month of Kanni 1115 by the Judges and Munsiffs in the Nagercoil Court?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*Legal Remembrancer to Government*): (*a*) The notification has been issued by the Registrar High Court, by order of the High Court;

(*b*) For the better disposal of contested execution petitions be Judges and Munsiffs;

(*c*) The minimum was reached only by the Additional Munsiffs, Nagercoil and Padmanabhapuram, and the Munsiff, Kuzhithura, in the Nagercoil District.

MR. K. NARAYANAPERUMAL NADAR: May I know what is the minimum work prescribed for the Munsiffs' and Sessions Courts according to that rule?

MR. PUTHUPALLI S. KRISHNA PILLAI: The member has to refer to the Government notification mentioned by him in the question itself.

MR. K. NARAYANAPERUMAL NADAR: May I know what is the minimum work referred to?

MR. PUTHUPALLI S. KRISHNA PILLAI: That is prescribed in the notification.

PRESIDENT: The suggestion is that the honourable member has evidently not read that question.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any action was taken for not doing the minimum work as required by the notification with regard to the additional Munsiffs of Nagercoil and Padmanabhapuram?

MR. PUTHUPALLI S. KRISHNA PILLAI: Their explanations will be submitted to the courts concerned and disposed of by the High Court on the merits.

MR. C. JEBAMONY NADAR: May I know from the member whether the Additional Munsiffs of Nagercoil and Padmanabhapuram were recruited from the Bar or promoted from the Department.

MR. PUTHUPALLI S. KRISHNA PILLAI: I claim notice.

Nagercoil P. W. Division Office.

209. ***MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state;

(*a*) whether the Nagercoil P. W. Division Office was inspected by auditors in each of the years 1113 and 1114;

(*b*) if the answer to part (*a*) is in the affirmative, the number of cases of acceptance of tenders other than the lowest—

(i) in 1113

(ii) in 1114? and

(*c*) the reasons recorded by the Division Officer for rejecting the lower tenders—

(i) in 1113; and

(ii) in 1114,

MR. M. S. DORASWAMI AIYANGAR : (*a*) Yes, (*b*) and (*c*) *A statement is laid on the table.

Resolutions passed at the general meeting of the Co-operative Banking Union, Eraviperoor.

210. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** Will the Government be pleased to state :

(*a*) whether the resolutions passed at the general meeting of the Co-operative Banking Union, Eraviperoor, Tiruvalla taluk have been forwarded to Government and the Registrar of Co-operative Societies by the President of the meeting ; and

(*b*) the action taken by Government and the Registrar on the same ?

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner and Registrar of Co-operative Societies*) : (*a*) Yes.

(*b*) The resolutions are under consideration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know the reason for the delay in taking action by Government and the Registrar of Co-operative Societies on the resolutions passed at the general meeting ?

MR. M. RAMACHANDRA RAO : The matter is under consideration.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know whether the major suggestions contained in the resolutions have been brought to the notice of the Co-operative Registrar ?

MR. M. RAMACHANDRA RAO : Yes, a report has been sent up. The report is confidential.

Confirmation of clerks in the Anchal Department.

211. ***MR. VARKALA K. MADHAVAN** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state :

(*a*) the number of clerks who were confirmed in the Anchal Department after getting exemption for not having passed the Anchal Test ; and

(*b*) whether they will be pleased to lay on the table a statement, by caste, of clerks who were confirmed after exempting them from passing the Anchal Test ?

MR. M. K. NILAKANTA AIYAR : (*a*) 18.

(*b*) The † statement is laid on the table.

Sale proceeds of the Sales Depot attached to the Government Ayurvedic Pharmacy.

212. ***MR. VARKALA K. MADHAVAN** : Will the Government be pleased to lay on the table a list of the sale proceeds of the Sales Depot attached to the Government Ayurvedic Pharmacy, for the past five years ?

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* *Vide* Appendix V Page 423.

† Vide Appendix VI, Page 425.

MR. G. NARAYANAN TAMPI: A statement giving the information is laid on the table.

Sale proceeds of the Sales Depot, Government Ayurveda Pharmacy.

		Rs.	Ch.	C.
1110	...	4,162	24	9
1111	...	3,891	13	13
1112	...	3,705	24	10
1113	...	3,636	6	12
1114	...	3,371	1	10

MR. VARKALA K. MADHAVAN; May I know whether the Government are aware that there is decrease in the sale proceeds of the sales depot attached to the Government Ayurvedic Pharmacy from year to year now a days?

MR. G. NARAYANAN TAMPI: Yes, Sir.

MR. VARKALA K. MADHAVAN: Are Government taking steps to find the reason for that?

MR. G. NARAYANAN TAMPI: Yes, Sir.

Shortage of first and second class teak logs.

213. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state the reason for the shortage of first and second class teak logs in the Sale Depots of the State?

MR. P. RAMAN PILLAI: The teak logs now available in the Sale Depots of the State are the remnants worked down from registered and unregistered areas in Tracts II and III, where trees of large dimensions are now scarce.

Rayimangalam Pakuthy Cutcherry.

214. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) whether the Rayimangalam Pakuthy Cutcherry is now housed in a Government building or in a rented building;

(*b*) if it is in a rented building, whether they propose to shift it to a central place in the above pakuthi; and

(*c*) whether any application has been made to the Land Revenue Commissioner, by the inhabitants of the different parts of the above pakuthi, praying that the above Pakuthy Cutcherry be shifted to and located in a central place of that pakuthi?

MR. M. RAMACHANDRA RAO: (*a*) In a rented building.

(*b*) The matter is being considered by the Division Peishkar.

(*c*) Yes.

Staff in the Division Offices.

215. ***MR. I. T. KESAVAN SASTRI**: Will the Government be pleased to lay on the table a statement, by caste, of the staff in each of the Division Offices of Trivandrum, Quilon and Kottayam?

MR. M. RAMACHANDRA RAO: The statement* required is laid on the table.

**Vide* Appendix VII, page 425.

Statement, by caste, of Constables.

216. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to lay on the table a statement, by caste, of the constables in each of the Districts of Trivandrum, Quilon and Kottayam?

MR. K. SANKARAN (*Ag. Secretary to Government*): A statement* containing the information is laid on the table.

Grant-in-aid Vaidyans.

217. ***MR. T. T. KESAVAN SASTRI**: Will the Govenment be pleased to lay on the table a statement, by caste, of the recognised grant-in-aid Vaidyans in Travancore?

MR. G. NARAYANAN TAMPI: A statement† giving the information is laid on the table.

MR. T. T. KESAVAN SASTRI: സർ,

MR. N. VELU ACHARI: I have a supplementary question to ask in No. 215.

PRESIDENT: We are now at question 217.

MR. T. T. KESAVAN SASTRI: ൧൧൧൪-ലും ൧൧൧൫-ലും ആയി എതെങ്കിലും വൈദ്യന് ഗ്രാൻറു കൊടുത്തിട്ടുണ്ടോ?

MR. G. NARAYANAN TAMPI: ഗ്രാൻറു കൊടുത്തിട്ടുണ്ട്.

MR. T. T. KESAVAN SASTRI: അംഗീകൃതവൈദ്യന്മാരുടെ പട്ടികയിൽ നിന്നാണോ ഗ്രാൻറു കൊടുത്ത വൈദ്യന്മാരെ തിരഞ്ഞെടുത്തിട്ടുള്ളതു് ?

MR. G. NARAYANAN TAMPI: അംഗീകൃതവൈദ്യന്മാർക്കു മാത്രമെ ഗ്രാൻറു കൊടുക്കാറുള്ളു.

MR. T. T. KESAVAN SASTRI: ററി. പി. കൃഷ്ണൻ ഉണ്ണിത്താൻ എന്നയാളിന് ഗ്രാൻറ് കൊടുത്തിട്ടുണ്ടോ ?

MR. G. NARAYANAN TAMPI: അങ്ങിനെ കൊടുത്തിട്ടുള്ളതായി അറിവില്ല.

PRESIDENT: Whenever supplementary questions are proposed to be asked, honourable members must be on the alert in catching the eye of the Chair. If they do not do so and wait until 2 or 3 questions are passed over and then wake up, it is difficult for the Chair to satisfy the members concerned.

Supply of books to pupils of backward communities.

218. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state the amount spent in 1114 by the Department of the Protector of the backward communities, for supplying books to the pupils of the backward communities studying in classes III and IV?

MR. M. K. NILAKANTA AIYAR: Rs. 5,837-4-6.

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*Vide Appendix VIII, page 426.

†Vide Appendix IX, page 426-429.

K. D. H. P. Company Ltd., Munnar.

219. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) whether the lease deed executed in favour of the K. D. H. P. Co., Ltd., Munnar has been recently renewed;

(*b*) if so, for how many years;

(*c*) what consideration was secured by the Government for the renewal of the lease deed; and

(*d*) under what head has the amount been debited?

MR. M. RAMACHANDRA RAO: (*a*) No.

(*b*) to (*d*) These do not arise in view of the answer to part (*a*)

MR. KANNANTHODATH K. JANARDHANAN NAIR: May I know for how long this deed has been in existence?

MR. M. RAMACHANDRA RAO: I have already answered that it is not renewed.

Marketing Officers.

220. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state what the part played by the marketing officers is in the food control or price control exercised by Government?

MR. K. R. NARAYANA AIYAR: The Marketing Officers have no part in the food control or price control exercised by Government.

Stipend granted to Mr. M. N. Kesava Pillai

221. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) what was the amount of monthly scholarship or stipend granted to Mr M. N. Kesava Pillai during the final year of his Ayurveda Acharya course in the Benares Hindu University;

(*b*) whether he is employed by Government in the Ayurvedic Department at present; and

(*c*) what his present post, pay and grade are?

MR. G. NARAYANAN TAMPI: (*a*) Bh. Rs. 40.

(*b*) Yes.

(*c*) Senior Pandit in the Ayurveda College on a pay of Rs. 40 in the grade of Rs. 40-5-70.

MR. KANNANTHODATH JANARDANAN NAIR; May I know whether the incumbent's pay at present is not less than the stipend given to him?

MR. G. NARAYANAN TAMPI: No, Sir.

MR. KANNANTHODATH JANARDANAN NAIR: I find from the answer given that the stipend given to him was Bh. Rs. 40 and his present pay is S. Rs. 40. May I know whether S. Rs. 40 is not less than Bh. Rs. 40?

MR. G. NARAYANAN TAMPI: The emoluments that an incumbent gets are to be calculated on the average of the maximum and minimum of a scale. The officer in question is now in the scale of Rs. 40-70 and so his pay is definitely more than what he was getting as stipend.

Lathi charge in Suchindram.

222. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether there was a lathi charge in Suchindram on 11th Margali 1115; and

(*b*) if the answer to part (a) is in the affirmative, the reasons for the lathi charge?

MR. M. K. NILAKANTA AIYAR: (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*).

MR. K. NARAYANAPERUMAL NADAR: May I know whether Reserve Constables were present in Suchindrum on the 11th Margali 1115?

MR. M. K. NILAKANTA AIYAR: Yes, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the crowd there was ever dispersed by the Police for any reason?

MR. M. K. NILAKANTA AIYAR: The crowd peacefully dispersed on the advice of the Police.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any person received injuries?

MR. M. K. NILAKANTA AIYAR: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any person was taken to the hospital?

MR. M. K. NILAKANTA AIYAR: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any person was taken in a Police car?

MR. M. K. NILAKANTA AIYAR: No, Sir.

Civil Courts' Guide.

223. ***MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to state the date of publication of the Civil Courts' Guide together with its price, the number of amendment slips published till date and the price of the supplement slips?

MR. PUTHUPALLI S. KRISHNA PILLAI: The Civil Courts' Guide came into force from 1-4-1099. It was published in 1923 (1098-1099). It is priced at Rs. 2 per copy. Several amendments have been made from time to time and duly published in the Government Gazette.

MR. S. NARAYANA PILLAI: May I know the number of such publications ready for sale?

MR. PUTHUPALLI S. KRISHNA PILLAI: All Government publications are available for sale and the copies of the Government Gazette will supply the necessary information.

MR. S. NARAYANA PILLAI: May I know how these copies can be purchased by the public?

MR. PUTHUPALLI S. KRISHNA PILLAI: Slips are not available for sale separately. But copies of the Government Gazette can be purchased.

MR. S. NARAYANA PILLAI: May I know, how those who are not able to get the Gazette can be in possession of the information?

MR. PUTHUPALLI S. KRISHNA PILLAI: All Government publications are published in the Government Gazette and those who want to retain copies for their own use will have to purchase them.

PRESIDENT Are the copies of the Government Gazette available?

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes. Sir.

MR. S. NARAYANA PILLAI: Is it not difficult to carry all these slips together?

MR. PUTHUPALLI S. KRISHNA PILLAI: In the case of a publication like the Civil Courts' Guide, until a reprint is undertaken and a revised edition is published, that is the way in which all lawyers will keep the correction slips ready for reference.

MR. S. NARAYANA PILLAI: May I know whether there is any intention of publishing a new edition?

MR. PUTHUPALLI S. KRISHNA PILLAI: That question has been considered. But in view of the enormous rise in the price of paper, the matter will have to await decision for some time more.

M. P. SIVARAMA PILLAI (*Meenachil* cum *Todupuzha*): In view of the great difficulty experienced by the public, may I know whether the Government will be pleased to consider that question?

MR. PUTHUPALLI S. KRISHNA PILLAI: At every time a rule is amended, it is not possible to bring about a reprint. The corrections are not so large as to necessitate an immediate reprint of the Civil Courts' Guide. But the matter will engage the attention of Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government why they did not think it necessary to answer the last part of the question, that is, about the price?

MR. PUTHUPALLI S. KRISHNA PILLAI: That is implied in the answer given.

Government Hospital at Kottarakara.

224. ***MR. P. KUNJUKRISHNAN** (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(*a*) where the Government Hospital at Kottarakara is housed at present;

(*b*) whether there is sufficient accommodation for in-patients in the building at present;

(*c*) if the answer to part (*b*) is in the affirmative, whether any steps have been taken thereon; and

(*d*) if not, why not?

MR. G. NARAYANAN TAMPI: (*a*) There is only a dispensary at Kottarakara and it is housed in a rented building.

(*b*) Accommodation for in-patients is also provided.

(*c*) and (*d*) The question of constructing a Government building for housing the dispensary was considered, but had to be dropped on account of lack of funds.

MR. P. KUNJUKRISHNAN: I wish to know whether there is sufficient accommodation for in-patients in the building?

MR. G. NARAYANAN TAMPI: There is as much accommodation for inpatients as could be made available in that particular building.

MR. P. KUNJUKRISHNAN: May I know whether any representation was made to Government saying that there is not sufficient accommodation for the in-patients there?

MR. G. NARAYANAN TAMPI: Yes, Sir.

MR. P. KUNJUKRISHNAN: May I know how long is it since the representation has been received?

MR. G. NARAYANAN TAMPI: The matter has been under consideration; and, on grounds of finance, the question had to be dropped, to be taken up later on.

MR. P. KUNJUKRISHNAN: May I know for how long it has been brought to the notice of Government?

MR. G. NARAYANAN TAMPI Repeated representations of that nature have been coming in for some time and the last is as recently as one year back.

MR. P. KUNJUKRISHNAN: May I know the approximate amount that would be required for this purpose?

MR. G NARAYANAN TAMPI: About Rs. 10,000 for a site as decided by a Committee that sat over the question some years back, besides Rs. 20,000 for a building.

MR. P. KUNJUKRISHNAN: May I know whether the Government have considered the question of constructing a building?

MR. G. NARAYANAN TAMPI: Certainly, Sir.

MR. P. KUNJUKRISHNAN: May I know whether in view of the representation made by the public, Government will take the necessary steps for constructing the building?

MR. G. NARAYANAN TAMPI It will receive the earnest and sympathetic consideration of Government as is the case with every such prayer.

Co-operative rules.

225. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state whether there are difficulties experienced due to the existing Co-operative rules?

MR. M. RAMACHANDRA RAO: Government are not aware of any difficulties.

Statement, by caste, of the Assistant Peishkars and Tahsildars.

226 ***MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the Assistant Peishkars and Tahsildars now in service?

MR. M. RAMACHANDRA RAO: The *statement required is laid on the table.

MR. THARIATHU KUNJITHOMMEN: അസിസ്റ്റൻറ് പേഷ്കാരന്മാരും തഹശീൽദാരന്മാരുമായി നൂറു പേരുണ്ടെന്നു കാണുന്നുണ്ട്. അവരുടെ കൂട്ടത്തിൽ സിറിയൻ കത്തോലിക്കനായി ഒരാളും ഇല്ലാതിരിക്കുന്നതു് ആ

**Vide* Appendix X Page 430.

സമുദായത്തിൽ അതിലേക്ക് യോഗ്യതയുള്ളവരില്ലാത്തതുകൊണ്ടോ അവക്ക് റവന്യൂകാര്യങ്ങൾ നടത്താൻ പ്രാപ്തിയില്ലാത്തതുകൊണ്ടോ എന്താണു കാരണം ?

MR. M. RAMACHANDRA RAO : Tahsidars are generally promoted from among the Magistrates.

MR. THARIATHU KUNJITHOMMEN : സിക്രട്ടേറിയററിൽനിന്നും മജിസ്ത്രേട്ടന്മാരെയും തഹശീൽദാരന്മാരേയും മററു ഡിപ്പാർട്ടുമെൻറുകളിൽ നായമിക്കുന്നതുപോലെ ഈ സമുദായത്തിൽനിന്നും ആരേയും നിയമിച്ചു കാണാത്തതിനുള്ള കാരണം എന്താണ്?

MR. M. RAMACHANDRA RAO : It is a question of policy.

Statement by caste of the Assistant Superintendents and District Superintendents of Police.

227. * MR. THARIATHU KUNJITHOMMEN : Will the Government be pleased to lay on the table a statement, by caste, of the Assistant Superintendents and District Superintendents of Police in Department?

MR. K. SANKARAN : A *statement containing the information is laid on the table.

Statement, by caste, of persons in the Agricultural Department.

228 *MR. THARIATHU KUNJITHOMMEN : Will the Government be pleased to lay on the table a statement, by caste, of the persons in the Agricultural Department holding appointments carrying a pay of above Rs. 50 ?

MR. K. R. NARAYANA AIYAR : A †statement is laid on the table.

MR. THARIATHU KUNJITHOMMEN : കൃഷിഡിപ്പാർട്ടുമെൻറിൽ ൫൦ രൂപായ്ക്കുമേൽ ശമ്പളമുള്ള ഉദ്യോഗങ്ങളുള്ളതിൽ സിറിയൻകത്തോലിക്കരോ ജേക്കബൈററോ ആയി ആരുംതന്നെ ഇല്ലാതിരിക്കുന്നതു ഈ സമുദായങ്ങളിൽ യോഗ്യതയുള്ളവർ ആരും ഇല്ലാത്തതുകൊണ്ടാരണോ ?

MR. K. R. NARAYANA AIYAR : യോഗ്യതയുള്ളവരില്ലാത്തതുകൊണ്ടല്ല.

MR. THARIATHU KUNJITHOMMEN : പിന്നെ എന്താണു് കാരണം ?

MR. K. R. NARAYANA AIYAR : യോഗ്യതയുള്ളവരെ നോക്കി, പബ്ളിക്കസർവീസ് കമ്മീഷണരാണ് നിയമനം നടത്തുന്നതു്.

MR. THARIATHU KUNJITHOMMEN : കൃഷിഡിപ്പാർട്ടുമെൻറിൽ കാര്യക്ഷമമായ ഭരണം നടത്തിക്കൊണ്ടു പോകുന്നതിന് കൃഷിവിഷയമായി കൂടുതൽ പ്രവർത്തിച്ചു കൊണ്ടിരിക്കുന്ന സമുദായത്തിൽപ്പെട്ടവരെ അല്ലെ നിയമിക്കേണ്ടതു് ?

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* *Vide* Appendix XII page 432.

† *Vide* Appendix XI page 431,

MR. K. R. NARAYANA AIYAR: യോഗ്യതയുള്ളവരെ അങ്ങിനെ നിയമിക്കുന്നുണ്ട്.

Statement, by caste, of the clerks in the Police Department.

229. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the clerks in the Police Department?

MR. K. SANKARAN: A statement containing the information is laid on the table.

MR. THARIATHU KUNJITHOMMEN: പോലീസ ഡിപ്പാർട്ടുമെൻറിൽ ഹെഡ് ക്ലാർക്കന്മാരുള്ളതിൽ സിറിയൻ കത്തോലിക്കരിൽനിന്നും ആരേയും നിയമിച്ചുകാണാത്തതു് ആ സമുദായത്തിൽ യോഗ്യതയുള്ളവർ ആരും ഇല്ലാത്തതുകൊണ്ടാണോ?

MR. K. SANKARAN: ഒരു കത്തോലിക്കനെ നിയമിച്ചിട്ടുണ്ടെന്നാണ് ഉത്തരം തന്നിട്ടുള്ളതു്.

MR. THARIATHU KUNJITHOMMEN: മററു സമുദായക്കാരിൽനിന്നും ഏഴെട്ടു പേരെ കാണുന്നുണ്ട്.

MR. C. V. CHANDRASEKHARAN *(Pro-Vice Chancellor)*: Will the Chair be pleased to request the honourable member to lower his voice?

PRESIDENT: It is exceptionally good voice. I do not want to discourage it.

MR. THARIATHU KUNJITHOMMEN: സർവകലാവല്ലഭന് മലയാളം അറിയാമെന്നു തോന്നുന്നു. മലയാളത്തിൽ പറഞ്ഞാൽകൊള്ളാം. ഞാൻ തെററിദ്ധരിച്ചാണ് ഒരാളും ഇല്ലെന്നു പറഞ്ഞിട്ടുള്ളതു്. ഒരാറം ഉണ്ടെന്നു കാണുന്നുണ്ട്.

PRESIDENT: The honourable member will put questions and not make speeches.

MR. K. SANKARAN: അപേക്ഷകന്മാരിൽ കൂടുതൽ യോഗ്യതയുള്ളവരെയാണ് നിയമിച്ചു വരുന്നതു്.

MR. THARIATHU KUNJIHTOMMEN: യോഗ്യത എന്നു പറയുന്നതിൽ പരീക്ഷായോഗ്യതയല്ലാതെ മററു വല്ല യോഗ്യതകളും വേണമെന്നുണ്ടോ?

MR. K. SANKARAN: ആദ്യത്തെ നിയമനത്തിൻെറ പട്ടികയല്ല ഇവിടെ കൊടുത്തിരിക്കുന്നതു്. സ്ഥിരമായി സർവീസിലിരിക്കുന്നവരുടേയും ആക്ടിംഗുകാരുടേയും പട്ടികയാണ് ഇവിടെ കൊടുത്തിരിക്കുന്നതു്.

MR. THARIATHU KUNJITHOMMEN: ആദ്യത്തെ നിയമനത്തിൽ ഈ സമുദായത്തെ അവഗണിച്ചു് പ്രവർത്തിച്ചതു് എന്തു കാരണത്താലാണ്?

MR. K. SANKARAN: അവരെ മനഃപൂർവമായി അവഗണിച്ചിട്ടില്ല.

* *Vide* Appendix XIII page 432.

Statement, by caste, of the officers in the Public Health Department.

230. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the officers in the Public Health Department?

MR. G. NARAYANAN TAMPI: The statement is given below:-

Hindu.	
Brahmin	6
Nayar	10
Other Hindu	2
Ezhava	3
Christian.	
Marthomite	3
Jacobite	2
S. I. U. C.	3

(Mr. Thariathu Kunjithommen stood up to ask a question.)

PRESIDENT: A great deal of postmortem examination of this kind has been held and it is hoped fervently by the Chair that after what has happened yesterday no further question of this sort will be put as the answers and the questions are of a uniform character. The only result perhaps is a sense of satisfaction in the mind of the honourable member that he has done what he regards as paramount importance. Certain steps have been taken yesterday with a view to deal with this problem. Let it be hoped for some time atleast that there would be a cessation of this question.

MR. THARIATHU KUNJITHOMMEN: ഇനിമേൽ അങ്ങിനെ സംഭവിക്കയില്ലെന്നു വിശ്വസിക്കുന്നു.

Statement, by caste, of persons appointed on the recommendation of the Public Service Commissioner.

231. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the total number of persons in service who were appointed as per the recommendation of the Public Service Commissioner during the last 18 months ending with the 1st Dhanu 1115?

DR. G. D. NOKES (*Public Service Commissioner*); The collection and consolidation of these statistics cannot be carried out in time to provide the required statement during the present sitting.

Assault on a Police Constable in the Barracks.

232 ***MR. S. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether a Police Constable was assaulted in the Barracks by a Sub-Inspector of Police; and

(*b*) the action taken in the matter?

MR. K. SANKARAN: (*a*) Yes.

(*b*) The Sub Inspector was punished departmentally.

MR. S. NARAYANA PILLAI: May I know the name of the Police Officer concerned?

MR. K. SANKARAN: Mr. M. Kadir.

Lathi charge in Suchindram Tekkutheru.

233. *MR. K. NARAYANA PERUMAL NADAR : Will the Government be pleased to state:

(a) whether there was a lathi charge by the Police on the crowd of people assembled in Suchindram Tekkutheru at about 7 P. M. on Tuesday the 11th Markali 1115, when Miss D. K. Pattammal was singing in front of "Parembalam" in Tekkumon ;

(b) the number of people that died as a result of the lathi charge ;

(c) the number of people wounded ;

(d) the number of Police Inspectors present in the crowd ; and

(e) the number of A. S. Ps present in the crowd ?

MR. M. K. NILAKANTA AIYAR : (a) No.

(b) & (c) These do not arise in view of the answer to part (a).

(d) 6.

(e) 1.

MR. K. NARAYANAPERUMAL NADAR : With reference to answer to part (d) may I know why 6 Police Inspectors were present in Suchindram Tekkutheru ?

MR. M. K. NILAKANTA AIYAR Suchindram temple is one of the most important temples in the State. The car festival there attracts very large crowd and as such a sufficient number of Police men is usually deputed.

Extension of the Transport Service to Kottayam.

234. *MR. KANNANTHODATH JANARDANAN NAIR : Will the Government be pleased to lay on the table a statement of the points discussed and the decisions arrived at, during the conference of the private bus-owners and the Transport Superintendent at Kottayam regarding the extension of the transport service to that station ?

MR. K. SANKARAN : The Conference was an informal one arranged with a view to ascertain whether the present owners would be willing to hand over their vehicles to the Transport Department when the new route is taken up by that Department. The owners unanimously agreed to sell their vehicles at a price to be decided by the Transport Superintendent.

The owners were informed by the Superintendent of Transport of the proposed extension of the Transport Service to Kottayam after the expiry of the two years' period specified in the Press note, dated the 13th February 1938. One owner raised the question of good will, but the Superintendent refused to recognise it as a saleable asset. Another owner requested that the proposed extension might be deferred until the end of 1115, as his financial position was difficult.

A number of operators pointed out that the past three months had been a 'lean time' from a passenger traffic view-point and requested that the purchase of buses might be deferred until February 1940, and the Superintendent agreed to this arrangement."

MR. KANNANTHODATH JANARDANAN NAIR: May I know when the actual service will commence?

MR. K. SANKARAN: On 30th March 1940.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether it is considered necessary to give goodwill to the private bus owners?

MR. K. SANKARAN: There is no such goodwill.

Acting Head Clerks in the Munsiffs' Courts.

235 ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: Will the Government be pleased to state:

(*a*) the names of undergraduates in the Judicial Department, appointed by the High Court as acting Head Clerks in the Munsiffs' Courts from 1-1-1113 up to 1-6-1113, with the date of first appointment, the qualification and the total period of service as acting Head Clerks, of each, but who are not given even acting places as Head Clerks subsequently;

(*b*) the names of persons confirmed as Head Clerks in the Munsiffs' Courts after 1-1-1113 with the date of first appointment to act as Head Clerk in the Munsiffs' Courts, and the qualification of each;

(*c*) the names of undergraduates who were appointed for the first time to act as Head Clerks in the Munsiffs' Courts after 1-1-1113 and who were subsequently confirmed overlooking the previous acting claims of persons who have acted as Head Clerks, with the date of first acting appointment as the Head Clerk and confirmation of each;

(*d*) whether any of the persons mentioned in answer to (c) was first ordered by the High Court to retire, and subsequently given extension and confirmation by the High Court; and

(*e*) the names of undergraduates in the Munsiffs' Courts who were appointed twice and thrice by the High Court to act as Head Clerks in the Munsiffs' Courts after 1-1-1113 and who are not now Head Clerks either permanent or acting with the date of first appointment as Head Clerks, the qualification and the total period of acting service as Head Clerks of each?

MR. PUTHUPALLI S. KRISHNA PILLAI:

(*a*) *Names of Undergraduates appointed by the High Court as Ag. Head Clerks in Munsiffs' Courts from 1-1-1113 to 1-6-1113.*	*Date of first appointment as Ag. Head Clerk.*	*Qualifications.*	*Total service as Ag. Head Clerk.* Y.	M.	D.
1. C. K. Govinda Pillai.	5-1-1113	Matriculation, Pleadership and Head Clerk's Test.	1	0	20
2. G. Sankaranarayana Iyer.	1-4-1112	English Middle School and Head Clerk's Test.	0	11	0

[Mr. Puthupalli S. Krishna Pillai.]

(b) *Names of persons confirmed as Head Clerks in Munsiffs' Court after 1-1-1113.*	*Date of first appointment as Ag Head Clerk.*	*Qualification.*
1. A. Rama Iyer	29-1-1109	Matriculation and Sheristadar's Test.
2. K. Ramakrishnan Tampi	19-5-1110	Matriculation and Second Grade Pleadership.
3. V. Subramonia Iyer	12-8-1114	B. A. and Sheristadar's Test.
4. V. K. Varki	12-8-1114	B. A. and First Grade Pleadership.
5. V. Chidambara Iyer	9-2-1107	Matriculation and Sheristadar's Test.

(c) None.

(d) In view of answer to (c) this does not arise.

(e) *Vide* answer to (a).

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government whether there is any person in the Judicial Department as the Head clerk of a Munsiff's Court who was first ordered to retire from service by the High Court.

MR. PUTHUPALLI S. KRISHNA PILLAI: That is not a question arising from this interpellation and so I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I base my question on part (d), whether any of the persons mentioned in answer to part (c) were first ordered by the High Court to retire and subsequently given extension and confirmation.

MR. PUTHUPALLI S. KRISHNA PILLAI: The answer to part (c) is 'none'.

MR. PULIYOOR T. P VELAYUDHAN PILLAI: My question is whether there is any person in the Judicial Department as the Head Clerk of a Munsiff's Court who was first ordered to retire from service by the High Court ?

MR. PUTHUPALLI S. KRISHNA PILLAI: I claim notice.

Public Service Recruitment Rules.

236. ***MR. K. KUNJU PANICKAR** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state whether the Recruitment Rules were not framed with a view to give adequate representation to backward classes ?

DR. G. D. NOKES: Partly.

MR. K. KUNJU PANICKAR: In the Intermediate Division, were the names of 40 per cent. of the unrepresented communities registered by the examination of 1112 ?

DR. G. D. NOKES: The registration of a candidate has nothing to do with the selection of the candidate. The 40 per cent. were selected.

Appendix I.

Vide Answer to Question No. 180.

Statement furnishing the particulars to parts (a) to (d) of Interpellation No. 180 re: Land Revenue in the Quilon Division.

Year	*Amount remitted*			*Demand notice fee and process fee realised.*			*No. of auction sales.*	*Demand.*		
	Rs.	Ch.	C.	Rs.	Ch.	C.		Rs.	Ch.	C.
1113	25,703	17	12	36,124	16	0	15,600	18,50,232	5	12
1114	55,283	4	6	48,011	27	0	12,597	19,51,284	21	12

Appendix II.

Vide Answer to Question No. 190.

Statement, by caste, of the lady constables recruited to the Police Department.

A. *Hindu.*

1.	Brahmin	...
2.	Nayar	9
3.	Kammala	1
4.	Nadar	...
5.	Ezhava	5
6.	Cheramar	1
7.	Other Hindu	3

B. *Muslim*

C. *Christian*

1. Jacobite
2. Marthomite
3. Syriac Catholic
4. Latin Catholic
5. South India United Church
6. Other Christian

Appendix III.

Vide Answer to Question No. 192.

Statement, by caste, of clerks belonging to the class 'Other Hindus' working in the Secretariat.

Ambalavasi	1
Barber	1
Dhobi	1
Gowdasaraswath	1
Kakala	1
Krishnanvaga	1
Kshatriya	4
Marava	2
Pattariar	1
Samantha	1
Vellala	6

Appendix IV.

Vide Answer to Question No 196.

Statement showing the places etc., of the Food Control Committees.

	Name of place.	*Number of members.*	*No of Commerce members in the Committee.*
1	Thovala	10	2
2	Agasteeswaram	10	1
3	Kalkulam	17	5
4	Vilavancode	10	1
5	Neyyattinkara	11	1
6	Trivandrum	11	3
7	Nedumangad	10	1
8	Chirayinkil	10	1
9	Quilon	15	5
10	Kottarakara	10	1
11	Pathanapuram	10	1
12	Shencottah	10	1
13	Kunnathur	10	1
14	Karunagapalli	12	1
15	Karthigapalli	11	1
16	Mavelikara	12	1
17	Pathanamthitta	10	1
18	Thiruvella	15	1
19	Ambalapuzha	13	1
20	Shertalai	12	1
21	Kayencolam	12	2
22	Alleppey	17	3
23	Kottayam	13	2
24	Vaikam	9	1
25	Changanacherry	11	3
26	Meenachil	10	2
27	Muvattupuzha	11	2
28	Thodupuzha	10	1
29	Kunnathad	11	1
30	Parur	10	1
31	Devicolam	10	2
32	Peermade	11	1
33	Alwaye	10	3

Appendix V.

Vide Answer to Question No. 209.

NAGERCOIL DIVISION.

List of contract arrangements made on tenders other than the lowest in 1113 and 1114.

Agreement No.	Name of work.	Probable amount of contract.	Reasons recorded by the Division Officer rejecting the lowest tenders.
	1113		
97	Improvements to tank in Vilavancode taluk. Improving Thamaraculam in S. No. 1004 of Kunnathoor pakuthi	703	Intrested party given at the lowest tendered rate.
104	Improvements to the Arat tank attached to the Valvachagostam temple	1700	3rd lowest was selected, the rates quoted by 1st and 2nd lowest are unworkable.
180	Steining the well at Pillayarpuram in S. No. 7459 of Thengamputhur pakuthy, Agastisvaram taluk	890	Arranged with the interested party of the Pillayarpuram village at the lowest tendered rates.
211	Maintenance of metalled roads in Nagercoil Division for 1113—Nagercoil Town road	604	2nd lowest was selected as the 1st lowest would not complete the supply in time and since the work being urgent.
220	Improvements to Pallaculam in S. No. 2651 of Kanniakumary pakuthy	1800	I, III and IV are petty contractors cannot be expected to complete the work quickly. II has too much other work and hence V was selected.

APPENDIX V—*(contd.)*

Agreement No.	Name of work.	Probable amount of contract.	Reasons recorded by the Division Officer rejecting lowest tenders.
234	Reconstructing the Kumari dam across Pazhayar 17th mile-Metalling the bank road from Parakai kal. Head works and Suchindram kal Head works	760	2nd lowest was selected as the work being urgent and the 1st lowest could not complete the work in time.
259	Regarding the bed of Pandian kal from Puthen Dam to Chellamthurithy	2107	Fourth lowest was selected as 1 to 3 are unreliable and cannot complete the work in time and since the work being urgent.
319	Closing breach in the surplus kal of Kadiapatanom-Periaculam	430	Arrangement made with the interested party and also a contractor as prayed for by the puravucars at the 2nd lowest tenderer's rate as the first being a new man.
	1114		
275	Constructing a cross bar across Poigai odai below 2/1 Thovala-Thazhakudy road	604	Arranged with the interested ryot at the lowest tendered rate.
370	Maintenance of M. S. road. Recoating for 1114 miles 37 to 41	1520	As the work was important 2nd lowest was selected, the first lowest being new.

Appendix VI.

Vide **Answer to Question** No. 211.

Statement by caste, of clerks who were confirmed after getting exemption from Anchal Test.

No.	*Name.*	*Caste.*
1.	M. Rama Warrier	Other Hindu
2.	G. Vasudevan Pillai	Nair
3.	V. C. Chacko	Jacobite
4.	K. V. Koshy	Marthomite
5.	Kalyanikutty Amma	Nair
6.	P. F. Chacko	Syrian Catholic
7.	V. J. Joseph	Jacobite
8.	K. Govinda Iyer	Brahmin
9.	M. Sumathy Amma	Nair
10.	Mary John	Jacobite
11.	P. M. Sarada	Ezhava
12.	Lekshmikutty Amma	Nair
13.	Ravi Varma Thampan	Other Hindu
14.	N. J. Mathew	Marthomite
15.	Mani Korah	Jacobite
16.	K. Raghavan	Ezhava
17.	N. Raghavan Pillai	Nair
18.	L. Bhargavi Amma	Nair

Appendix VII.

Vide **Answer to Question** No. 215.

Statement, by caste, of the staff in each of the Division offices of Trivandrum, Quilon and Kottayam.

	Division Cutcherry Trivandrum.	Division Cutcherry Quilon.	Division Cutcherry Kottayam.
Brahmins	7	5	3
Nairs	10	13	14
Other Hindus	...	3	...
Kammalas	...	..	...
Nadars	...	...	...
Ezhavas	1	2	1
Muslims	1	1	1
Christians			
Jacobite	1	1	2
Marthomite	1	...	1
Syriac Catholic	...	1	1
Latin Catholic	1	1	...
S. I. U. Church	1	1	...
Other Christian	1	...	3

Appendix VIII.

***Vide* Answer to question No. 216**

Statement by caste of the Constables in the Trivandrum, Quilon and Kottayam districts.

		Districts		
		Trivandrum.	Quilon.	Kottayam
A.	*Hindu*			
1	Brahmin	14	6	2
2	Nayar	326	310	257
3	Kammala	16	8	17
4	Nadar	23	2	7
5	Ezhava	68	38	43
6	Cheramar	5	6	8
7	Other Hindu	169	90	66
B.	*Muslim*	48	55	16
C.	*Christian*			
1	Jacobite	5	58	48
2	Marthomite	4	39	12
3	Syriac Catholic	4	4	33
4	Latin Catholic	27	16	23
5	South India United Church	34	5	6
6	Other Christian	17	5	9

Appendix IX.

(*Vide* Answer to Question No. 217)

Statement, by caste, of the grant-in-aid Vaidyasalas in Travancore.

Vo.	*Name of Vaidyan.*	*Caste.*
1	E. Marianayakam	Latin Catholic
2	P. M. M. Pattanam Vaidyan	Muslim
3	Abel Mudaliar	Other Hindu
4	J. Venkitakrishna Iyer	Brahmin
5	D. Gnanamony Nadar	S. I. U. C.
6	C. Krishna Iyer	Brahmin
7	A. Aron	S. I. U. C.
8	V. Seshadrinatha Aiyar	Brahmin
9	K. Narayana Pillai	Nair
10	V. Thanu Pillai	Nair
J1	K. Kunjupilla Asan	Nadar
12	A. Alangaramoney Nadar	Nadar
ı3	K. Krishnan Nair	Nair
14	John Samuel	S. I. U. C.

15	N. Govinda Pillai	Nair
16	Ponniah Nadar	Nadar
17	N. Nilakantan Tampi	Nair
18	K. Kumaran	Ezhava
19	C. R. Aiyappan	Ezhava
20	P. Narayanan Nadar	Nadar
21	S. Velu Pillai	Nair
22	O. Kesavan Nadar	Nadar
23	S. Raghavan	Ezhava
24	V. S. Rama Iyer	Brahmin
25	P. Madhavan	Ezhava
26	K. Gopala Kaimal	Nair
27	M. K. Krishna Kaniyar	Kaniyar
28	P. Sultan Pillai	Muslim
29	K. Parameswaran Pillai	Nair
30	M. Abraham	Syrian Jacobite
31	V. G. George	Syrian Catholic
32	Syed Abdul Rahiman	Muslim
33	Shaik Mohideen Sahib	Muslim
34	P. Daniel	Other Christian
35	P. Kunjan	Ezhava
36	K. Bhagavathy Amma	Nair
37	S. D. Das	Ezhava
38	N. Bharathi Amma	Nair
39	H. Padmanabha Sastri	Brahmin
40	T. R. Trivikraman Pillai	Nair
41	K. Raghavan	Ezhava
42	K. Nanoo Pillai	Nair
43	V. K. Nanoo	Ezhava
44	S. Narayana Pillai	Nair
45	V. Padmanabha Pillai	Nair
46	K. Madhavan	Ezhava
47	K Narayanan	Ezhava
48	M. Muhammed Ali	Muslim
49	N. Padmanabha Kaniyar	Kaniyar
50	M. S. Nanoo	Ezhava
51	C. K. Nilakantan	Ezhava
52	K. P. Nilakantan	Ezhava
53	R. Madhavan Pillai	Nair
54	C. V. Paramu Nair	Nair
55	S. Parameswaran Pillai	Nair
56	G. Velu Pillai	Nair
57	A. K. Kesavan	Ezhava
58	K. Krishna Pillai	Nair
59	P. N. Narayana Kurup	Nair
60	K. V. Madhavan	Ezhava
61	M. K. Nilakantan	Ezhava
62	G Kesavan	Ezhava
63	M. P. Krishnan	Ezhava
64	N. Velu Pillai	Nair
65	E. V. Subramonian Nambootiri	Malayala Brahmin

APPENDIX IX—(*contd.*)

No.	*Name of Vaidyan.*	*Caste.*
66	A. Poulien Fernandez	Latin Catholic
67	P. Kunjuraman	Ezhava
68	T. K. Krishna Kaniyar	Kaniyar
69	K. Gopalan Nair	Nair
70	K. N. Govinda Pillai	Nair
71	N. Rama Warrier	Warrier
72	P. A. Kumaran	Arayan
73	P. Sankara Pillai	Nair
74	G. M. Kochukunju	Ezhava
75	V. Janaki	Arayan
76	V. Narayanan	Ezhava
77	N. Kesava Kaniyar	Kaniyar
78	K. Govinda Pillai	Nair
79	K. Kittu	Velan
80	N. Sankara Panicker	Ezhava
81	N. Parameswara Kurup	Nair
82	M. K. Padmanabha Kaniyar	Kaniyar
83	T. N. Raman Pillai	Nair
84	K. Kochuraman	Ezhava
85	K. Narayana Kaniyar	Kaniyar
86	K. Parameswara Pillai	Nair
87	K. Govinda Pillai	Nair
88	Koshy Kathanar Jacob	Marthomite
89	K Gopala Pillai	Nair
90	T K. Parameswara Panicker	Nair
91	P. N Narayana Pillai	Nair
92	K. C. Kesavan	Ezhava
93	Varughese Varughese	Syrian Christian
94	V. Krishna Pillai	Nair
95	C. K. Chacko	Syrian Christian
96	N. Narayana Panicker	Nair
97	V. Kochukunju	Ezhava
98	K. Droupathi Antherjanam	Malayala Brahmin
99	K. Madhavan Nair	Nair
100	Kochurama Kaniyar	Kaniyar
101	G. Krishna Pillai	Nair
102	K. N. Narayana Panicker	Nair
103	M. M. Thomas	Syrian Catholic
104	K. S. Kunjukrishna Pillai	Nair
105	Vasudevan Muthathu	Other Hindu
106	K. Kesava Kurup	Nair
107	R. Kochukunjunni Pillai	Nair
108	R. Kesavan	Kaniyar
109	T. S. Balakrishna Warrier	Warrier
110	P. Koya Kunju	Muslim
111	G. Parameswaran Pillai	Nair
112	N. Divakaran	Ezhava
113	M. Damodaran Pillai	Nair
114	R. Krishna Warrier	Warrier
115	K. Govinda Kaniyar	Kaniyar
116	K. S. Venkiteswara Shenoi	Gowdasaraswath Brahmin
117	A. R. Kerala Varma Thampan	Kshatriya
118	C. K. Ramakrishna Arayan	Ezhava
119	K. K. Sankunni	Ezhava
120	E. R. Sankara Pillai	Nair

APPENDIX IX.—(*contd.*)

No.	*Name of Vaidyan.*	*Caste.*
121	T. K. Raman Pillai	Nair
122	D. Damodaran Unni	Unni
123	N. Narayanan Nair	Nair
124	Parameswaran Moothathu	Moothathu (Other Hindu)
125	Punnoose Korah	Syrian Jacobite
126	K. Janaki Amma	Nair
127	K. Kunju Panicker	Ezhava
128	M. E. Easwara Panicker	Nair
129	K. N. Krishna Pillai	Nair
130	S. Kochukunju Kaniyar	Kaniyar (Other Hindu).
131	K. N. Padmakshy	Ezhava
132	K. Madhava Kurup	Nair
133	M. Narayanan Nair	Nair
134	P. A. Aiyappan	Ezhava
135	C. P. Sivarama Pillai	Nair
136	P. K Madhavan	Kakalan (Other Hindu)
137	M. K. Ramakrishna Menon	Nair
138	M. T. Cheriyan	Syrian Catholic
139	K. Nilakanta Pillai	Nair
140	R. Rama Warrier	Warrier
141	Kunjarappan Kartha	Nair
142	P. S. Krishna Pillai	Nair
143	A. N. Krishna Kaimal	Nair
144	T. K. Bhageerathi Amma	Nair
145	N. V. Varkey	Syrian Catholic
146	K. Madhava Kaimal	Nair
147	M. K. Narayanan Nair	Nair
148	Venkitachalam Aiyar	Brahmin
149	K. M. Ithac	Syrian Jacobite
150	K. K. Rama Kaniyar	Kaniyar (Other Hindu)
151	A. Gopala Pillai	Vellala
152	R. Gopala Pillai	Nair
153	C. K. Kesava Pillai	Nair
154	T. K. Kavunni Puduval	Other Hindu
155	K. Kunjan Thirumulpad	Kshatriya
156	K. Sekharan	Velan (Other Hindu)
157	C. Madhavan Pillai	Nair
158	C. Chandrasekhara Pillai	Nair
159	T. G. Narayana Pillai	Nair
160	S. Damodaran Namboori	Malayala Brahmin
161	K. R. Kumaran	Ezhava
162	A. N. Raghavan	Kammala
	HOSPITALS.	
163	N. Kunjuraman	Ezhava
164	B. Nilakantan	Ezhava
165	N. Sankaran Potti	Malayala Brahmin

Appendix X.

Vide Answer to Question No. 226.

Statement by caste of Assistant Peishkars and Tahsildars now in service in this Department.

Caste.		Assistant Peishkars.	Tahsildars.
A. *Hindus.*			
1	Brahmin	...	4
2	Nayar	2	10
3	Other Hindu	1	2
4	Kammala	...	...
5	Nadar	...	...
6	Ezhava	1	1
B. *Muslims.*		...	3
C. *Christians.*			
1	Jacobite	...	2
2	Marthomite	2	3
3	Latin Catholic	...	2
4	Syriac Catholic	...	...
5	South India United Church	1	1
6	Other Christian	...	1
		7	29

plus 1 place vacant.

Appendix XI.

Part A.

***Vide* Answer to Question No. 227.**

A Statement, by caste, of Assistant Superintendents in the Police Department. (including Assistant Inspector General of Police.)

		Permanent.	Acting.
A. Hindu			
1 Brahmin	...	1	
2 Nair	...	2	2
3 Kammala	...		
4 Nadar	..		
5 Ezhava	...	1	
6 Cheramar	...		
7 Other Hindu	...	2	
B. Muslim	...		1
C. Christians—			
1 Jacobite	...		1
2 Marthomite	...		1
3 Syriac Catholic	...		
4 Latin Catholic	...		
5 S. I. U. Church	...		
6 Other Christian .	...		

[N. B. Besides the above there is one European Temporary Assistant Superintendent of Police, in charge of the Armed Reserve.]

Part B.

A Statement by caste of the District Superintendents in the Police Department—(including the Deputy Inspector General of Police.)

	Permanent.	Acting.
A. Hindu		
1 Brahmin	1	
2 Nayar	2	
3 Kammala	...	
4 Nadar	...	
5 Ezhava	...	
6 Cheramar (Pulaya)	...	
7 Other Hindu		
B. Muslim		
C. Christian		
1 Jacobite	...	
2 Marthomite	...	
3 Syriac Catholic	...	
4 Latin Catholic	...	
5 South India United Church	...	
6 Other Christian	..	

Appendix XII.

Vide Answer to Question No. 228.

Statement, by caste, of persons drawing a pay of above Rs. 50 in the Agricultural Department.

A. HINDU	
Brahmin	9
Nayar	26
Kammala	...
Nadar	...
Ezhava	4
Cheramar (Pulaya)	...
Other Hindu	4
B. MUSLIM	1
C. CHRISTIAN	
Jacobite	...
Marthomite	5
Syriac Catholic	...
Latin Catholic	1
South India United Church	1
Other Christian	1
Total	52

Appendix XIII.

Vide Answer to Question No. 229.

Statement by caste of the clerks in the Police Department

	Permanent.	Acting
A. HINDU.		
Brahmins	10	...
Nairs	30	1
Kammala	2	1
Nadar	...	...
Ezhava	2	4
Cheramar (Pulaya)	...	..
Other Hindu	11	1
B. MUSLIM	3	
C. CHRISTIAN—		
Jocobit	1	...
Marthomite	1	...
Syriac Catholic	1	...
Latin Catholic	1	...
S. I. U. Church	1	...
Other Christian	...	1
	63	8

UNSTARRED QUESTIONS AND ANSWERS.

Particulars regarding motor lorries plying on the Alwaye Munnar line.

1. **MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to lay on the table a statement furnishing the following particulars regarding motor lorries, plying on the Alwaye-Munnar line from the date of the commencement of the service till the 20th Kanni 1115 ;

(i) the number of lorries that collided with others and got damaged ;

(ii) the number of lorries that capsized on the way ;

(iii) the number of lorries that strayed and fell into the swampy areas of Mannankandam and other places ;

(iv) the reasons therefor ; and

(v) the names of the drivers of such lorries and the places to which they belong ?

MR. K. SANKARAN: (i) Two.

(ii) One.

(iii) Nil.

(iv) In (i) negligence of the driver of a private lorry coming in the opposite direction. In (ii) the carelessness of the Departmental driver.

(v) (i) N. K. Kochukrishnan Nair — Neyyattinkara J. S. Gomez—Quilon.

(ii) K. A. Sankara Pillai—Thodupuzha.

Restrictions to cut down and sell jungle trees.

2. **MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to state whether any restrictions have been placed on the privileges of people to cut down and sell jungle trees such as Pongallyam etc., standing in their holdings and, if so, the nature of the restriction so imposed ?

MR. P. RAMAN PILLAI: No.

Construction of the Kuttipuzha Canal.

3. **MR. THAMARAPALLIL KOCHUTHOMMEN** (*Tiruvalla*) : Will the Government be pleased to state :

(*a*) when it was that Government began the construction of the Kuttipuzha canal in the Triuvalla taluk ;

(*b*) what is the total length of the canal ;

(*c*) whether the construction is completed ;

(*d*) how many acres of wet land in the taluk would get the benefit of this canal when completed ; and

(*e*) if the answer to part (*c*) is in the negative, why this project is delayed ?

MR. M. S. DORASWAMI AIYANGAR:

(*a*) Edavom 1110.

(*b*) 3 3/8 miles.

[Mr. M. S. Doraswami Aiyangar.]

(c) No.

(d) 2216 acres.

(e) The estimate originally sanctioned was found to be insufficient during execution. A revised estimate was therefore sanctioned in June 1939, but the work was not arranged for then, as it was not the proper working season. Steps to resume the balance works are being taken.

Electricity sub-station at Chengannoor.

4. **MR. THAMARAPALLIL KOCHUTHOMMEN:** Will the Government be pleased to state whether Government or the Electrical Engineer has received any memorial or application from the public of the Chengannoor town praying for the opening of an electricity sub-station there and what action has been taken on it?

MR. M. K. NILAKANTA AIYAR: Yes. It is proposed to include this extension in the next year's programme.

Damages to land and agriculture in the Tiruvella taluk.

5. **MR. THAMARAPALLIL KOCHUTHOMMEN:** Will the Government be pleased to state:

(a) whether damage has been caused to land and agriculture in the Pandanad, Vadakkekara and Thiruvanmandoor pakuthies of the Tiruvalla taluk; and

(b) if the answer to part (a) is in the affirmative, what steps have been taken by the Government to redress the hardships of the poor agriculturists of the above mentioned localities?

MR. M. RAMACHANDRA RAO: (a) and (b) The question is vague as the period is not specified.

Existence of latrines and urinals at bus-stands.

6. **MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to state whether it has come to their notice that the existence of latrines at bus-stands is necessary for the convenience of passengers?

MR. M. K. NILAKANTA AIYAR: They would be useful.

Senate of the Travancore University.

7. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(a) the total number of members of the Senate of Travancore University; and

(b) the number of members who are not holders of degree in arts or science?

MR. M. K. NILAKANTA AIYAR: (a) 75.

(b) 13 have no degrees and five others hold degrees in other subjects.

First list of selected candidates for appointment as clerks on Rs. 20-25.

8. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(a) whether the first list of selected candidates for appointment as clerks on Rs. 20-25 is exhausted;

(b) if not, how many more still remain to be recruited; and

(c) the reasons for such a long delay for the absorption of these candidates?

DR. G. D. NOKES: (a) Yes.

(b) and (c) do not arise in view of the answer to Part (a)

Second list of selected candidates for appointment as clerks on Rs. 20-25.

9. MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state:

(a) whether the second list of selected candidates for appointment as clerks on Rs. 20-25 has come into force;

(b) if so, the number of candidates recruited from the said list till now; and

(c) if the answer to part (a) is in the negative, when will the second list come into force?

DR. G. D. NOKES: (a) Yes.

(b) 54 recruited as clerks on Rs. 20-25.

(c) This does not arise in the light of the answer to Part (a) above.

Overpaid amounts in the Nagercoil P. W. Division.

10. MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state:

(a) the number of instances of payments at enhanced rates against lower rates provided for in the agreement of P. W. contractors in the Nagercoil P. W. Division in each of the years 1112 and 1113;

(b) the total amount paid in excess in 1112 and 1113; and

(c) whether the question of recovery of the overpaid amounts in each of those years has engaged the attention of the Government?

MR. M. S. DORASWAMI AIYANGAR: (a) Nil.

(b) and (c) do not arise in view of the answer to part (a).

Transfer of the Sub-Registry Office at Aloor.

11. MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state:

(a) whether they received a petition in 1114 from the people of Santapuram and those in the adjoining villages in Neendakara (A) and (B) pakuthies, that the Sub-Registry Office at Aloor should be transferred to Santapuram; and

(b) the action taken thereon?

MR. K. SANKARAN: (a) Yes.

(b) Petition was recorded after due enquiry in the matter

Recruitment of Sub-Registrars as Magistrates.

12. **MR. S. GOVINDA PILLAI** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state :

(*a*) whether there is any order to the effect that Sub-Registrars who are law graduates are eligible for recruitment as Magistrates;

(*b*) if there is such an order, what is the date of the order;

(*c*) how many vacancies of Stationary Magistrates have arisen since the order;

(*d*) how many Sub-Registrars with the necessary qualification have been appointed; and

(*e*) if none has been appointed, why?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes,

(*b*) 27-3-1939,

(*c*) Five,

(*d*) Nil.

(*e*) No special reasons.

Recruitment of candidates selected for appointment as Foresters.

13. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state :

(*a*) how many of the selected candidates for appointment as Forester on Rs 20 still remain to be recruited; and

(*b*) how many of those who are relieved from this appointment have applied for re-registration?

DR. G. D. NOKES: (*a*) 3.

(*b*) 5, of whom only 3 are available for re-recruitment.

Bus run on charcoal gas.

14. **MR. M. SIVATHANU PILLAI** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state :

(*a*) whether any bus is run on charcoal gas;

(*b*) what are the results of the experiment; and

(*c*) what is the scope of its being utilised on a commercial scale.

MR. K. SANKARAN: (*a*) Yes.

(*b*) The results are very encouraging,

(*c*) Experiments are being conducted with a view to designing a type of apparatus (to be manufactured locally) which can be fitted to all commercial vehicles.

Irrigation Committee for Nanjinad.

15. **MR. M. SIVATHANU PILLAI:** Will the Government be pleased to state:

(*a*) whether the Irrigation Committee for Nanjinad appointed by Government has begun to function;

(*b*) how many meetings they held so far, and how many irrigation works they recommended for execution with the total estimate thereof; and

(c) how many such works were executed with their respective amounts so far spent?

MR. M. RAMACHANDRA RAO: (a) Yes.

(b) Two meetings.

52 works (improvements and repairs to tanks) were decided to be taken up as per details below:—

(i) Works in progress 22 tanks—Rs. 6,500.

(ii) Works for which estimates have been sanctioned 20 tanks Rs. 13,900.

(iii) Works for which estimates have been submitted to the Chief Engineer—10 tanks—Rs. 4,600.

52 tanks = Rs. 25,000.

(c) Arrangements for the execution of 29 tanks (22 under item (i) and 7 under item (ii) above) have been made by the P. W. Division Officer, Nagercoil.

The amount so far spent during the current year is Rs. 490.

Recruitment of candidates from the Nadar Community in the intermediate division.

16. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to lay on the table a list of the names, designations and pay of the candidates recruited from the Nadar Community in the intermediate division of the public service during the year 1114 and in the first four months of 1115?

DR. G. D. NOKES: The names are confidential. The designations and pay of the candidates advised for recruitment in 1114 are contained in the Public Service Departmental Report for that year. A *statement for the first four months of 1115 is laid on the table.

Selection of candidates to the intermediate division from the backward communities.

17. **MR. K. KUNJU PANICKAR:** Will the Government be pleased to state:

(a) whether the 40 per cent of the candidates to be selected to the intermediate division from the backward classes, as per Public Service Recruitment Rules, were selected in 1112, 1113 and 1114;

(b) if they were selected, whether there was any appointment made from among them; and

(c) if not, why was it?

DR. G. D. NOKES: (a) No. The Public Service Recruitment Rules do not provide that 40 per cent of the candidates to be selected in the Intermediate Division should be from the backward classes.

(b) As to appointment from the backward communities, the member is referred to the Report on the Public Service Recruitment Rules.

(c) In view of the answer to (a) and (b), this does not arise.

**Vide* Appendix I, page, 438.

Applications for building-grant from libraries and reading rooms.

18. **MR. THAMARAPALLIL KOCHUTHOMMEN:** Will the Government be pleased to state :

(*a*) how many applications have been received by them from libraries and reading rooms in the State for building-grant from 1-1-1113 and how many of them have been favourably considered :

(*i*) giving their names ;

(*ii*) the amount of grant sanctioned to each of them ; and

(*b*) what is the general tenor of the reply given to those to which grant has been refused ?

MR. M. K. NILAKANTA AIYAR: (*a*) Two.

(i) 1. Sankaravilasom Reading Room and Library, Chengannoor.

2. P. K. Memorial Reading Room and Library, Ambalapuzha.

(ii) A sum of Rs. 500 has been promised for the Library No. 2 above.

(*b*) That there is no provision of funds for sanctioning building-grants to Reading Rooms and Libraries.

Appendix I.

Vide Answer to Question No. 16.

Nadar Candidates advised for recruitment in the Intermediate Division from 1-1-1115 to 29-4-1115.

Appointments.				No. of candidates
Schedule No.	Department.	Name.	Pay Rs.	
50	Various	Clerk	20-25	2
65		Clerk-typist	20-25	1

MEMBER SWORN.

Mr. A. Gopala Menon (*Director of Public Instruction*) took the oath and signed the Rolls.

LEGISLATIVE BUSINESS.

THE TRAVANCORE CHILD MARRIAGE RESTRAINT BILL.

PRESIDENT: Where do we stand, Mr. Legal Remembrancer?

MR. PUTHUPALLI S. KRISHNA PILLAI: We are at the third reading of the Bill.

PRESIDENT: I suggested that there should be a conference.

MR. PUTHUPALLI S. KRISHNA PILLAI: There does not appear to have any conference held. Both parties have sent up amendments which have been admitted, We may proceed with the discussion of those amendments.

PRESIDENT: Has the Legal Remembrancer looked into what is called the drafting side of the amendments?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, Sir. But if the amendments are admitted there will be nothing wrong in the form.

SRIMATI T. NARAYANI AMMA (*Nominated*): Sir, in the light of the discussion that took place at the last meeting of the Assembly on my amendments and especially in view of the difficulties pointed out by the Chair, I beg to move the following amendment to clause 11 :—

> "In Clause 11, line 2, for the word "family" substitute the word "marriage" and after the words "in that behalf" and before the word "within" in line 3, add the following "by the legal guardian of the bride or bridegroom whoever is a child".

PRESIDENT: The honourable member will very kindly read the clause as amended.

SRIMATI T. NARAYANI AMMA: The clause amended will read thus:

> "Our Government may, by notification in the Government Gazette exempt any marriage in Travancore from the operation of this Act, on application made in that behalf by the legal guardian of the bride or bridegroom whoever is a child within six months of the passing of this Act."

Sir, I do not think that a long speech is necessary in support of this amendment. I have already pointed out at the last meeting of the Assembly why I object to the word "family" in the new clause *viz.*, clause 11, added to the bill. There are also legal difficulties to which the Chair has drawn the attention of the House. The amendment I have moved will obviate those difficulties and I am sure it will satisfy the sentiments of those honourable members who wanted such an exemption clause. All that I want, Sir, is that the effect of this bill should not in any way be nullified by clause 11. I may be permitted to point out, in this connection, that such an exemption clause does not find a place in similar Acts passed elsewhere on the subject. In the matter

[Srimati T. Narayani Amma.]

of education and enlightenment, Travancore stands foremost of all the Indian States and Provinces and it will not redound to the credit of our State if in legislating on an important piece of much needed social reform we add any clause that will nullify the effect of this Bill. As regards the *bona fide* object of those who want such an exemption, I fully trust that this amendment will serve the purpose. With these words I commend this amendment for the unanimous acceptance of this House.

MR. JOSEPH VITHAYATHIL (*Kunnatnad* cum *Parur*): Sir, I rise to a point of order. Is it in order to bring forward an amendment at this stage without the permission of the Dewan?

PRESIDENT: Permission was given on the last occasion. Is there anybody to second the motion?

SRIMATI DEVAKI ANTHARJANAM (*Nominated*): I second it.

MR. P. S. NILAKANTA AIYAR (*Co-opted*): Sir, I oppose the amendment. The Section as amended will read like this:

"Our Government may, by notification in the Government Gazette, exempt any marriage in Travancore from the operation of this Act on application made in that behalf by the legal guardian of the bride or bridegroom, whoever is a child, within six months of the passing of this Act".

It can be seen that this amendment makes the exemption operative only for six months when it says the application will have to be made by the legal guardian of the bride or bridegroom, whoever is a child, apparently after the marriage is settled. Therefore this exemption applies only to marriages to be celebrated within six months of the passing of this Act. The original idea was to exempt families who had only to make applications within six months of the passing of this Act, whether marriages have been settled or not. To get exemption permanently, applications have to be made on behalf of that family within six months of the passing of this Act. Honourable members may be aware that the original amendment was that certain communities should be exempted from the operation of this Act. It is only as a compromise that the word "family" was accepted. By this amendment, even the restricted exemption accepted as a compromise is being taken away as it is made applicable only for 6 months and that in respect of particular marriages and not families. Practically, therefore, no benefit of any exemption is derived by this amendment, after 6 months. By this amendment the purpose of the exemption clause is taken away and its object defeated.

PRESIDENT: The main matters connected with the bill have been discussed already.

What happened on the last occasion was that an amendment which was put forward was considered rather defective from the draftsman's point of view. What I suggested then was this:—

"Without attempting to choke discussion or deflect it, I am bound to point out, speaking for the moment purely as a lawyer that there are certain difficulties attendant both upon the amendment and

upon the bill, as it stands at this moment. It would not do, I think, for this honourable House to rush through and pass a bill and adopt certain formulae which may either be canvassed very strenuously in court or may lead to results which this honourable House had not in contemplation.. We ought not hurry and push through a particular portion of the bill which may not be regarded as conducive to the dignity and the legislative capacity of this honourable House. I am suggesting that because this House has waited so long and will be meeting again very shortly, honourable members may consider the matter more deeply and put forward their respective contentions."

I am sure that adequate legal formulae will be found and both sides could put forward arguments and the House may accept the best solution possible".

So, I do not think that we can again traverse the whole ground covered by the bill.

MR. P. S. NILAKANTA AIYAR: Sir, when the clause was inserted in the bill, the idea was that the principle of exemption was accepted by the House. But the object of this amendment is to grant no exemption, whatever, six months after the passing of the bill. So I have tabled another amendment to omit the words "within 6 months from the passing of this Act." The principle of exemption having been accepted it must be there. It should not be taken away by a side wind even after six months. The idea behind the amendment seems to be to take away even what was accepted as a compromise. So if the words "within six months" are taken away, as the granting of exemption is left to the discretion of Government, the exemption clause may be made beneficial. The mover of the amendment stated that there is no precedent elsewhere in India as regards exemption being granted. I can only point out that that statement is not correct. I find from the book, "Child Marriage Restraint Act" by Mr. Srinivasa Iyer, in similar Acts passed in Indore, Baroda, Rajkot and Mandi provision for exemption is made. The provision in Act II of 1938 *i. e.* Indore Child Marriage Prevention Act is as follows:—

"If the Magistrate and the majority of assessors are satisfied,

(1) That if the proposed marriage were not sanctioned the parties would lose all chances of being married at all ; or

(2) That the parents or guardians of the girl to be married are not likely to live owing to old age or disease till after the girl becomes a major and there is no other person fit to be guardian ; or

(3) That any other difficulty equally unavoidable is likely to arise, the Magistrate shall accord permission in writing if the girl to be married has completed her 11th year of age."

So that it is wrong to say that there is no similar provision adopted elsewhere.

MR. M. SIVATHANU PILLAI: May I know whether the honourable member has any objection to allow these three grounds on which and which alone exemption can be granted in this bill?

MR. P. S. NILAKANTA AIYAR: We can't exhaust all the grounds. There may be difficulties which are likely to arise. The Act in Baroda contains an exemption on another ground.

MR. C. JEBAMONY NADAR: Will the honourable member kindly read the particular section of the particular Act?

MR. P. S. NILAKANTA AIYAR: I am sorry that I have not got a copy of the whole Act. I have only got relevant extracts here. The additional provision for exemption in the Baroda Act is this —

> "There is no likelihood of consummation within one year of any of the couple being major."

Further there may be the ground based on conscientious religious prohibition, so that there are various grounds for exemption and to consider these, discretion is vested in Government. Sir, when the lady member moved her amendment last time, she spoke thus: The word family is a wide one and if any family can be given exemption a large number of people can manage to be outside the purview of the law...... ....If in exceptional cases exemptions are found necessary the purpose will be amply served by exempting the individuals concerned. Thus we see then she had no objection to individual exemptions.

Now the effect of the exemption clause is wholly taken away after six months from the date of the bill. That is going against even the very principle of exemption which was accepted before by the house. No special sanctity is attached to the marriages which take place before 6 months of the passing of this Act. In that case we can even omit the exemption clause altogether.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanacherry cum Peermade*): May I know, Sir, whether the honourable member is opposing the amendment or supporting it?

MR. P. S. NILAKANTA AIYAR: My two amendments of which I have given notice would show that I want to retain the word "family" and if that is not acceptable at least to omit the words " within six months from the date of the Act."

MR. KAINIKKARA M. PADMANABHA PILLAI: May I know whether the amendment before the House is opposed or another amendment is proposed?

MR. P. S. NILAKANTA PILLAI: I oppose the amendment.

MR. JOSEPH VITHAYATHIL: Sir, I oppose the amendment. If this amendment is accepted the scope of the exemption clause will be very much reduced. That clause was the result of a compromise which was agreed upon more or less unanimously by the House. Some of the

honourable members who had tabled important amendments to the Bill withdrew those amendments as a result of this compromise. I do not think that it is proper to re-open the matter at this stage.

Now, Sir, at the third reading stage of a bill amendments can be moved only with the special permission of the Dewan except in the case of amendments moved on behalf of Government. This permission is generally granted only for the purpose of correcting mistakes, avoiding contradictions or removing ambiguities. I concede, Sir, that the word 'family' as used in the clause is rather ambiguous, especially when it is made applicable to different communities. It is desirable to remove that ambiguity. But the effect of accepting this proposed amendment will be to materially alter the exemption clause and to substantially reduce its scope. Under the clause as it stands if an exemption is granted in favour of a family on application made within six months of the passing of the Act it enures to the benefit of all the members of that family for ever. But according to the amendment only marriages in respect of which applications are made within six months can get the benefit of the exemption. If the honourable member is prepared to take away the time limit I shall have no objection in accepting the amendment.

PRESIDENT : Is it not better to discuss this under the next amendment to be moved by Mr. Nilakanta Iyer which is specific with regard to the time limit?

MR. JOSEPH VITHAYATHIL : But then, Sir, Mr. Nilakanta Aiyar wants to retain the word 'family' in his amendment while he wants to take away the time limit. I am saying that I shall have no objection in substituting the word 'marriage' for the word 'family' provided that the time limit is taken away. My point is that we should not, at this stage, materially alter the scope of the exemption clause which was arrived at as the result of a compromise. Any such alteration will be unfair and the procedure will be highly improper.

MR. N. RAMAKRISHNA PILLAI (*Vaikom* cum *Kottayam*) : The effect of this amendment is to nullify the whole obeject of the exemption. The difficulty arises on account of the substitution of the word "marriage" for the word "family". So long as the word "marriage" is retained the time limit is meaningless and serves no purpose, and makes the purpose of the exemption illusory. If on the other hand the word "family" is retained there will be no objection to retain the expression within 6 months. The word "family" in that case will have to be defined. Perhaps that is the reason why Mr. Nilakanta Aiyar has proposed his alternative amendment. It seems to me that if the word "marriage" is substituted for the word "family" then certainly the expression "6 months after the passing of the Act" will have to be taken away. With these words I oppose the amendment.

MR. C. JEBAMONY NADAR : Sir, I rise to support the amendment moved by the honourable member who is in charge of the Bill. In

[Mr. C. Jebamony Nadar.]

doing so I would read some relevant portions from a commentary of the British India Child Marriages Restraint Act. At page 22 of the book the following opinion is expressed :—

"In order to effectively eradicate the evil of child marriage further legislation is necessary. With a view to save the innocent victims from a life-long misery, the Legislature should go to the full length of declaring child marriages invalid regardless of the foolish susceptibilities of the daily dwindling ranks of the orthodox".

The learned author goes on further and says "in order to check the delay"..................

PRESIDENT : Who is the learned author or authoress ?

MR. C. JEBAMONY NADAR : Tek Chand, Advocate, Lahore High Court and Lecturer, University Law College, Lahore.

PRESIDENT : And the other gentleman ?

MR. C. JEBAMONY NADAR : H. L. Sarin, Advocate, High Court, Lahore.

PRESIDENT : These gentlemen Tek Chand and H. L. Sarin may be very eminent men but their opinion cannot be quoted in this honourable House. My honourable friend's opinion can be quoted and can be very useful. What I would suggest to the honourable member is not to quote the opinion of Mr. Chand or Mr. Sarin, however eminent they may be. I have not had the good fortune to know the names of any of these gentlemen. Their opinion cannot be quoted as a legal authority. But if the honourable member reads out portions from that commentary and says "it is my opinion" then we can accpet it as you are an honourable member of this House (*Laughter*).

MR. C. JEBAMONY NADAR : I fully agree with the opinion of the learned authors.........

PRESIDENT : Or, rather you find your opinion expressed in this manner. (*Laughter*)

MR. C. JEBAMONY NADAR : Yes, Sir.

In fact, in British India, the Home Member wanted that one year must elapse before the Bill should come into operation.

MR. N. RAMAKRISHNA PILLAI : May I know whether the principle of the Bill was not agreed to by this House on former occasions ?

MR. C. JEBAMONY NADAR : Yes, Sir. I don't question that. What Mr. Sarda, the mover of the Bill, says regarding that matter is this,

"But though the Government became convinced that, for its good name, it must help in passing the measure into law as speedly as possible, the honourable Home Member was so afraid of the displeasure of the orthodox people in India, who are against all change, that he proposed to allow a period of twelve months before bringing the law into force, in the hope that the orthodox people would in the meantime became reconciled to the legislation and having come to know of the enactment would not break it. It was only on my protests and the pressing representations of the supporters of the Bill that the delay would greatly aggravate the

evil, that the Home Member agreed to shorten the interval to six months. How disastrous was the result of post-poning the coming into force of the Bill is known to all".

Of course the result was that within the 6 months the record number of child marriages were conducted within British India. Afterwards when the law came into operation people from British India went over to the neighbouring native States and conducted child marriages. What I want to say is in British India, a similar question was raised and they came to the conclusion that the operation of the Bill should be delayed only for six months. Therefore, I appreciate the honourable mover in her liberal amendment allowing that period for application for exemption.

MR. JOSEPH VITHAYATHIL : Is there any such clause in the British Indian Act ?

MR. C. JEBAMONY NADAR : Yes, Sir. Regarding the time when it shall come into force, it is enacted there that it shall come into force on the first day of April 1930, though the Bill was passed six months ago.

I am not however ignoring the difference between "exemption" under our Act with the question of postponing the operation of the Act in the British Act. They have not got the provision for exemption.

MR. N. RAMAKRISHNA PILLAI : May I know whether this principle was not conceded by this House on a former stage ?

MR. C. JEBAMONY NADAR : All that I want is that the law to be passed should not be a dead letter. Since the amendment proposed is in accordance with the trend of the British Indian Legislation, I support the motion.

PRESIDENT : Any other wishing to offer any remark ?

SRIMATI T. NARAYANI AMMA : Sir, I want to offer a few remarks by way of reply.

PRESIDENT : Yes.

SRIMATHI T. NARAYANI AMMA : Sir, the honourable member Mr. P. S. Nilakanta Iyer referred to some thing about Baroda and he wanted to follow the example of Baroda in this matter. But the conditions in Travancore are far different from those in Baroda and moreover, I am glad to reiterate the argument, that Travancore stands foremost in all healthy social legislation, so much so, if the exemption is carried it will be a sort of stain upon the fair name of Travancore. When post-puberty marriage has become the order of the day, I fail to understand why we should reserve a provision enabling people to evade the provisions of the law and marry their children before they attain marriageable age. I appeal to the honourable members of this House who are fathers and brothers to vote in favour of this amendment.

Motion put and carried.

MR. P. S. NILAKANTA AIYAR : Sir, I move

"in Section 11, omit the words 'within six months of the passing of this Act' occurring at the end".

[Mr. P. S. Nilakanta Aiyar]

Now, the word "family" has been substituted by the word "marriage".

As I said before the principle of granting exemption from the operation of the Act has been recognised by this House in the second reading of this Bill. Now the word "family" has been substituted by the word "marriage". By the acceptance of the amendment made by my friend just now the exemption will last only for 6 months after the passing of the Bill, as apparently the marriage has also to be settled before the exemption is applied for, which would be seen from the provision as to persons who have to apply for the exemption. "Within the period of six months" was introduced with a view to enable the heads of families to apply for exemption which when once granted will enure for all time to come, to the benefit of all its members. The word "marriage" has now been substituted for "family". Therefore unless the words "within six months" are taken away, the Bill will amount to saying that no exemption at all will be given for marriages to take place after six months. This is also against the compromise arrived at, between the parties on the prior occassion of the second reading of the Bill. Therefore I submit that the words "within six months of the passing of the Act" be deleted.

MR. N. RAMAKRISHNA PILLAI : Sir, I second the motion.

I am prepared to accept the original expression if the words "within six months" are omitted. Practically the House had conceded on a former occassion that a general exemption should be granted in favour of certain families. The difficulty then was with regard to the suitable expression that will achieve this object. Now, since the object is to provide a general exemption the retention of the expression "within six months of the passing of the Act", will practically nullify the exemption conceded by this House, because instead of the word "family" the word "marriage" has been substituted and accepted by the House. That means curtailment of the time limit thereby making the exemptiom useless The word family could have been retained, and any difficulty arising therefrom removed by an explanation of the word "family". But now the word marriage has been substituted. Hence unless this expression "within six months" is deleted the exemption granted becomes practically useless, and for this reason I support the amendment to omit the expression "within six months of the passing of the Act."

SRIMATI T. NARAYANI AMMA : Sir, I oppose the amendment. I have heard the Legal Remembrancer, say, when sponsring his bills, that there should be uniformity in the matter of legislation in Travancore and British India. Travancore forms part of entire India and whatever that is good for British India must necessarily be good for us also. Moreover, marrriage is not a matter of life and death and it can be made to wait till the girl attains 14 and the boy 18. Sir, marriage is not a life and death problem and it can be delayed.. ......

PRESIDENT: Marriage, no doubt, is not a problem of life and death, but I am only concerned with this, that in the third reading of the Bill what should be done is that as far as possible the principle already agreed upon by the House should be implemented. What was the actual compromise arrived at between the parties? The Legal Remembrancer and Mr. E. Subramonia Iyer, who is not found in his seat to-day, were asked to draft an amendment. There was certain trouble arising out of the amendment and it was adjourned. The only question is what was the agreement or the basic principle on which that kind of compromise was arrived at and the amendment was made. If the honourable members's amendment is in consonance with that, it must be given effect to and I should like to know exactly from the Legal Remembrancer, one of the two parties to the amendment, what was the compromise.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, clause 11 was adopted as a matter of compromise. It was drafted here in the Assembly itself and it was put to the Assembly and the House adopted it. The idea was to grant exemption in favour of families. The result of that would be that, once exemption is granted in favour of the family, all members of the family would be enjoying the exemption for ever and for ever. It would enure for generations. But the only condition was that, in order that a family may be thus benefited, an application has to be made within six months. This was the restriction that was imposed. It was then found that the word "family" was misleading and would give room for controversy. Question was raised as to "what is to happen in the case of a Mohammedan family?" Whether the privilege obtained by the application will be available for generations to all those who are descended from the family? What is to happen when a family is divided. These were the questions which were subsequently discussed. Mr. E. Subramonia Iyer was also a party to the discussion and it was found that the clause required some amendment. The amendment that has therefore been made is to avoid the ambiguity involved in the expression "family". At the same time it should be to preserve or retain as much of the privilege as was agreed upon. If Srimati Narayani Amma's amendment is accepted, there will be exemption only in favour of specific marriages and the exemption in favour of families originally contemplated will disappear. The exemption that is sought to be made available by the amendment for a period of 6 months can be had by postponing the final adoption of the Act for 6 months and the purpose will be achieved without an amendment. That means that after 6 months no child marriage can take place even though it may be necessary in the interest of the child or the person marrying. Therefore the retention of the words "within 6 months from the commencement of the Act" after Srimati Narayani Amma's amendment has been accepted would be to curtail completely the principle originally agreed upon by the House. After considering the amendments proposed by the two honourable members I was of the opinion that we would be keeping up the principle adopted in clause 11

[Mr. Puthupalli S. Krishna Pillai.]

if we adopt the amendment now proposed by Mr. Nilakanta Aiyar, namely, for the omission of the words "within six months of the commencement of the Act." The result is that when a child marriage is to take place, the party has to apply to Government, get previous permission and then perform marriage. My own impression is that the member in charge of the bill is opposing this amendment probably on the ground that it will be a privilege that will be available for ever if the amendment is accepted. It was in contemplation when clause 11 was adopted. My submission is that the omission of the words suggested by Mr. Nilakanta Aiyar is not in any way likely to impair the efficacy of the Act.

PRESIDENT: Order, order. I do not think the honourable member can go into details. The whole question is what was the compromise arrived at on the basis of which at the stage of the third reading a certain amendment was sought to be put in.

MR. PUTHUPALLI S. KRISHNA PILLAI: The compromise was that any family in Travancore may apply for exemption and an exemption so obtained shall enure to the benefit of all members in succession in that family for ever.

PRESIDENT: That is the view of the Legal Remembrancer in regard to the compromise. I should like to know from any honourable member if his views differ from the Legal Remembrancer's. Otherwise I have to give effect to the compromise.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I may be permitted to put in a word. The amendment as was passed the other day, and the amendment as is passed to-day both recognise the fact that there might arise occasions which would justify the necessity for granting exemptions. There might be really hard cases. According to the amendment as it stood the other day, the fear was that it might practically and effectively nullify the whole Bill. That was why Srimati Narayani Amma was perturbed over the other amendment. Even now she admits the necessity for exemptions for a period of six months.

PRESIDENT: Order, order. I take it that after a considerable amount of discussion there was a compromise arrived at on the floor of the House, and whatever the mover's idea was, that compromise was given effect to. Is there any doubt about that?

MR. KAINIKKARA M. PADMANABHA PILLAI: No, Sir. What I want to put is that once it is admitted that necessity for exemption might arise within six months, I do not see why the necessity may not arise even after six months. I would therefore request the mover to agree to the suggestion of Mr. Nilakanta Aiyar and delete the words "within six months after the commencement of the Act."

SRIMATI T. NARAYANI AMMA: I accept the amendment.

Mr P. S. Nilakanta Aiyar's amendment was put to vote and carried.

SRIMATI T. NARAYANI AMMA: Sir, I beg to move that the Bill as amended by the Select Committee and as further amended by this House be passed.

In doing so, I wish to express my sincere thanks to all the honourable members of this House as well as of the old Assembly and especially to the Law Member and the present Legal Remembrancer for the help and support that I have received in passing this Bill. I wish to express my sincere thanks to Mr. Kottoor Kunjukrishna Pillai who piloted my other Bill, the Travancore Hindu Widows Remarriage Bill in the other chamber, and who may pilot this Bill also in the Sri Chitra State Council. I wish to tender my heart-felt thanks to all the honourable members who opposed this Bill for the great courtesy they have shown to me. Sir, I fully believe that those who opposed the Bill were also actuated by the same honesty of purpose and high sense of duty as those who supported this Bill.

Sir, it is for the first time in the annals of the Travancore Legislature that a woman member has been enabled to introduce and pilot bills. Without arrogating to my humble self any credit therefor, I feel it my duty to state that it has been entirely due to the impetus that has always been given in this progressive State of ours to women's education and to the help and encouragement that educated women have always received at the hands of their cultured brothers in all other legitimate activities for social reform. I once again thank all the honourable members and beg to move that the Bill be passed.

SRIMATI DEVAKI ANTHARJANAM: I second it.

The question was put and carried. The Bill was passed.

PRESIDENT: I congratulate the honourable member on her legislative success.

THE TRAVANCORE KAMMALA BILL.

MR. N. RAMAKRISHNA PILLAI: I move that under Rule 30 of the Legislative Rules standing order No. 4—permission may be granted for the continuance of the Kammala Bill. The Bill was first introduced on 7th August 1936. The Bill lapsed with the prorogation of the first Assembly, and I took charge of it in August 1937. Mr. Velu Achari also introduced another Bill in November 1937. Both these Bills were referred to a Select Committee and they have been under the consideration of the Select Committee for a long time. About 276 witnesses have been examined by the Select Committee and the Committee has practically come to a conclusion on the main provisions of the Bill. On the question whether the Pandy Kammalars should be brought under the provisions of the Bill, the Select Committee has already decided that they need not be included.

MR. M. G. KESAVA PILLAI (*Trivandrum Town*): I second it.

MR. N. VELU ACHARI (*Nominated*): സർ, ഈ ബിൽ സെലക്ട് കമ്മിററിക്ക് അയച്ചതിനുശേഷം അടിക്കടി കമ്മിററി മീററിംഗുകൾ നടന്നുകൊണ്ടിരുന്നു. എന്നാൽ, ...

PRESIDENT: Order, order. The honourable member's motion is "I beg to move that the words 'and Viswakarma' be added after 'Kammala'" and the only motion before the House is that of the continuance of the Kammala Bill.

MR. N. VELU ACHARY: കഴിഞ്ഞ ഡിസംബർ ൧൭-ാനു- സെലക്ട് കമ്മിററിയുടെ ഒരു യോഗം നിശ്ചയിച്ചിട്ടുണ്ടെന്നും അതിലേക്കു ഹാജരാകണമെന്നും എനിക്ക് ഒരു എഴുത്തു എൻെറ ആഫീസിൽ അയച്ചത് ഞാനിരുന്ന സ്ഥാനത്തു കിട്ടി. അന്ന് ഞാൻ ഈ രാജ്യത്തുനിന്നും കുറെ അകലെ ആയിരുന്നതിനാൽ മീററിംഗിന് എത്താൻ സാധിക്കുകയില്ലെന്നു മറുപടി അയച്ചു. അതിനുശേഷം കമ്മിററി മീററിംഗിനുള്ള ആദ്യത്തെ എഴുത്തു ക്യാൻസൽ ചെയ്തിരിക്കുന്നു എന്നു കാണിച്ച് കഴിഞ്ഞ ഡിസംബർ ൧൧-ാംതീയതി വേറൊരു മറുപടി കിട്ടി. പിന്നെ സെലക്ട് കമ്മിററി കൂടുകയുണ്ടായില്ല.

PRESIDENT: I havs been rather puzzled to discover what the discussion is all about, because if I follow the honourable member correctly, he has a rankling disappointment in regard to the manner in which the evidence was marshalled by the Select Committee. That question was raised in another form on a previous occasion and rather strong speeches were made for and against. But at the present moment we are solely concerned with the question of the continuance of the Bill. After the Bill has been allowed to be continued and after it comes up before the House, and if there is a proper occasion, the honourable member may make his observations.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, may I offer a word of explanation on his behalf? The honourable member is in charge of another Bill and all that he wishes is that that Bill also may be continued.

PRESIDENT: Order, order. He might have been advised to do the same thing that the other honourable member has done.

MR. PUTHUPALLI S. KRISHNA PILLAI: He omitted to make a motion and so he wants to put it into Mr. Ramakrishna Pillai's motion. Ordinarily a motion has to be made within a specific period, and the honourable member Mr. Velu Achari has omitted to do so. On consultation it was found that Mr. Velu Achari's motion, if given, would not be admitted as there was not six days' notice. So he is now putting his motion into Mr. Ramakrishna Pillai's motion as an amendment. That is what he wants.

PRESIDENT : I congratulate the honourable member on the variety and the cogency of his champions but my point is that at present I am only concerned with one motion. Of course it is open to the House to ask me to suspend all rules of business and take up another motion to be moved by Mr. Velu Achari, irrespective of the time-limit.

MR. N. VELU ACHARI : ഇപ്പോൾ മി: രാമകൃഷ്ണപിള്ള ഈ ബിൽ ലാപ്സായിപ്പോകുമോ എന്നുള്ള ഭയംകൊണ്ടായിരിക്കണം ഈ മോഷൻ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളത്. ഈ സമുദായത്തിന്റെ ആവശ്യത്തിനായി രണ്ടു ബിൽ ഈ സഭയിൽ അവതരിപ്പിക്കയും അതു രണ്ടുംകൂടി ഈ സഭ സെലക്ട് കമ്മിററിയുടെ പര്യാലോചനക്ക് അയയ്ക്കുകയുമാണു ചെയ്തിട്ടുള്ളത്. മി: രാമകൃഷ്ണപിള്ളയുടെ ബിൽ തുടർന്നുകൊണ്ടു പോകുന്ന സ്ഥിതിക്ക് ഞാൻ അവതരിപ്പിച്ചിട്ടുള്ള വിശ്വകർമ്മ ബിൽകൂടി തുടർന്നുകൊണ്ടുപോകണമെന്നുള്ളതിനു മാത്രമാണ് എന്റെ ഈ അമെൻറുമെൻറ്. അതിന് ഇടയില്ലാത്തപക്ഷം കമ്മാള ബിൽ തുടരുന്നതിന് അനുവാദം കൊടുക്കരുതെന്നാണ് ഞാൻ അപേക്ഷിക്കുന്നത്. ഈ കാര്യം വളരെ ഗൗരവമായി ആലോചിക്കേണ്ട ഒന്നാണ്. സെലക്ട കമ്മിററിയുടെ റിപ്പോർട്ടു വരാതെ ഒരു ബിൽ മാത്രം തുടർന്നുകൊണ്ടുപോകുന്നത് എന്റെ ബില്ലിനെ അവഗണിക്കുകയും സമുദായത്തിനു വളരെ ദോഷം ചെയ്കയുമാണെന്നു വിചാരിക്കാനിടയുണ്ട്.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : വിശ്വകർമ്മ ബിൽ തുടർന്നുകൊണ്ടുപോകണമെന്ന് ഇവിടെ ഇപ്പോൾ ഒരു മോഷൻ ഉണ്ടോ ?

MR, N. VELU ACHARY : മി: രാമകൃഷ്ണപിള്ള അവതരിപ്പിച്ച മോഷനിൽ എന്റെ അമെൻറുമെൻറും ചേർക്കണമെന്നാണ്.

ഈ സമുദായത്തിനു രണ്ടു ബിൽ ഇവിടെ അവതരിപ്പിച്ചിട്ടുണ്ടായിരുന്നു. അതിൽ ഒരു ബില്ലു തുടർന്നുകൊണ്ടുപോകുന്നതിനുവേണ്ടിയാണ് മി: രാമകൃഷ്ണപിള്ള അനുവാദം ആവശ്യപ്പെട്ടിട്ടുള്ളത്. അതിനാൽ വിശ്വകർമ്മ ബിൽ കൂടി ആ മോഷനിൽ ചേർത്തു തുടർന്നു നടപടി നടത്തണമെന്നു ഞാൻ ഈ സഭയെ അറിയിച്ചുകൊള്ളുന്നു.

MR. N. RAMAKRISHNA PILLAI : ഞാൻ കമ്മാളബില്ലിനു മാത്രമല്ലാതെ നടപടി നടത്തണമെന്ന് എഴുതിയിട്ടുണ്ടോ?

MR. N. VELU ACHARI : ഇപ്പോൾ സഭയുടെ മുൻപാകെ മെമ്പർ അയച്ച മോഷനിൽ എന്റെ അമെൻറുമെൻറുകൂടി ചേർക്കണമെന്നുമാത്ര

[Mr. Velu Achari.]

മേയുള്ളു. എന്തെന്നാൽ സെലക്ട് കമ്മിററിയിൽ ഈ രണ്ടു ബില്ലും അയച്ചിട്ടുള്ളതുകൊണ്ട് ഇതു രണ്ടും തുടർന്നുകൊണ്ടുപോകണമെന്നാണ് എന്റെ അഭിപ്രായം.

PRESIDENT: I still fail to discover what this honourable House has got to do with the proceedings in Committee. Whether that committee acted fairly or unfairly is a matter that can be raised at the proper time and in the proper manner. Mr. Ramakrishna Pillai has moved a motion for continuing the Kammala Bill. It was quite open to the honourable member Mr. Velu Achari to have given a similar motion which would have been voted upon. Having regard to the standing orders and rules, he could not do so. On the other hand he has given a motion by way of amendment of Mr. Ramakrishna Pillai's motion suggesting that wherever the word "Kammala" occurs, the words "and Viswakarma" may be added. It means that he has apparently reconciled himself to the further progress of Mr. Ramakrishna Pillai's Bill with the addition of Viswakarma. From the speech that he has now made it appears that a different picture is presented. I do not want to be pedantic. But *vigilantibus non dormientibus leges subveniunt* is a well-known legal maxim. The law does not always care for the sleeping person, but for the vigilant person. If the honourable member has not taken the proper opportunity to move his motion, I am afraid he must suffer the penalty.

MR. N. VELU ACHARY: കമ്മാളബിൽ തുടരണമെന്നു ഒരു മോഷൻ വന്നതുകൊണ്ടാണ് ഞാൻ ഈ അമൻറുമെൻറയച്ചതു്. അതനുസരിച്ച് ഈ രണ്ടു ബില്ലും ഒന്നിച്ച് സിലക്ട്കമ്മിററിക്കു അയക്കണമെന്ന് ഞാൻ അപേക്ഷിക്കുന്നു.

MR. K. NARAYANAPERUMAL NADAR: I oppose Mr. Ramakrishna Pillai's motion. Both these Bills were referred to the Select Committee. The Committee has not yet submitted its report. Therefore, Mr. Ramakrishna Pillai is not in order in seeking the continuation of only one of the two bills which are still with the Select Committee. That is my first point.

PRESIDENT: Will the Legal Remembrancer kindly explain under what circumstances the present motion for the continuation of the Kammala Bill has been brought forward?

MR. PUTHUPALLI S. KRISHNA PILLAI: There is a Rule under which, if for two consecutive sessions no motion concerning a bill is made in the House, the bill would lapse. It is to save the bill from that Rule, that Mr. Ramakrishna Pillai has now made the motion.

PRESIDENT: In other words, unless this motion is made, the Bill would lapse and the Select Committee itself cannot continue the consideration of the Bill.

MR. K. NARAYANAPERUMAL NADAR: My second point is ......

PRESIDENT: But what about the first point? (*Laughter.*)

(Mr. Nadar resumed his seat.)

PRESIDENT: I must give precedence to Mr. Velu Achary's amendment.

MR. M. SIVATHANU PILLAI: It has not been seconded.

MR. K. NARAYANAPERUMAL NADAR: I second it.

The amendment was put to vote and lost.

MR. N. VELU ACHARY: I demand a poll.

MR. S. CHATTANATHA KARAYALAR: Sir, I rise to a point of order. Mr. Velu Achary's amendment is out of order. What Mr. Ramakrishna Pillai wants is that the bill of which he is in charge, namely, the Kammala Bill, should be continued. Under that motion, no amendment of the title of that Bill would be in order.

PRESIDENT: Technically, the honourable member is correct; because when the motion is that the Kammala Bill be continued, it cannot be amended as 'the Kammala and Viswakarma Bill be continued'; there is no such bill to be continued.

Mr. Ramakrishna Pillai's motion, that the Kammala Bill be continued, was put to vote and carried.

MR. N. VELU ACHARY: I demand a poll.

A poll was taken and the House divided as follows:—

AYES—26

1 Mr. Kottalil P. Abraham
2 Mr. S. Chattanatha Karayalar
3 Mr. M. L. D'Cruz
4 Srimati K. Devaki Antharjanam
5 Mr. K. G. Govindan
6 „ C. Jabamony Nadar
7 „ Janardanan Achari
8 „ K. C. Karunakaran
9 „ M. G. Kesava Pillai
10 „ K. P. Kochukora Tharakan
11 „ N. R. Krishnan
12 „ K. G. Kunjukrishna Pillai
13 „ Varkala K. Madhavan
14 Sahib Bahadur P. S. Muhamed
15 Mr. N. Narayana Kurup
16 „ S. Narayana Pillai
17 „ P. Narayana Pillai
18 „ R. Narayanan Nambootiri
19 Srimati T. Narayani Amma
20 Mr. G. Nilakantan
21 „ Kainikkara M. Padmanabha Pillai
22 „ N. Ramakrishna Pillai
23 „ Codiveetil C. Raman Kunju
24 „ P. Sivarama Pillai
25 „ M. Sivathanu Pillai
26 „ Puliyoor T. P. Velayudhan Pillai

NOES—2.

1 Mr. K. Narayana Perumal Nadar
Mr. N. Velu Achari

NEUTRALS—25.

1 Mr. N. M. Mohammed Abdul Kadir
2 „ C. V. Chandrasekharan
3 „ K. Dominic Joseph
4 „ D. Francis
5 „ A. Gopala Menon
6 „ C. Jabamony Nadar
7 „ N. John Joseph
8 „ T. T. Kesavan Sastri
9 „ Kaviyoor K. K. Kochukunju
10 „ S. Krishna Aiyar
11 „ Puthupalli S. Krishna Pillai
12 „ A. K. Kumaran Vaidyan
13 „ P. Kunjukrishnan
14 Mr. Murukumpuzha V. Kunjukrishnan
15 Sahib Bahadur H. O. L. Marikar
16 Mr. P. V. Mathai Chemparathi
17 „ M. R. Narayana Pillai
18 „ K. R. Narayana Aiyar
19 „ K. R. Narayanan
20 „ G. Narayanan Tampi
21 Dr. G. D. Nokes
22 Mr. M. Ramachandra Rao
23 „ P. Raman Pillai
24 „ J. W. Tolson
25 „ P. Vivekanantham

THE TRAVANCORE CUTCHY MEMONS BILL.

SAHIB BAHADUR P. S. MUHAMED (*Quilon cum Kottarakara*): സർ, കച്ചി മെമൺസ് ബിൽ ഈ സഭയിൽ വായിക്കണമെന്നുള്ള ഉപക്ഷേപത്തെ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

SAHIB BAHADUR P. S. MUHAMED: സർ, ഈ ബിൽ ഇതിനുമുൻപ് ഈ അസംബ്ളിയിലും കൗൺസിലിലും വാദപ്രതിവാദത്തിനു വിഷയമായിട്ടുള്ളതാണ്. കഴിഞ്ഞ നിയമസഭയിൽ ഞാൻ തന്നെ ഈ ബിൽ അവതരിപ്പിക്കയും സെലക്ട് കമ്മിററിക്ക് അയയ്ക്കുകയും ചെയ്തിരുന്നു. അതിനുശേഷം നിയമസഭ പരിഷ്കാരം ഉണ്ടായതിനാൽ ഇതിന്റെ നടപടി തുടർന്നു പോകാൻ സാധിച്ചില്ല.

PRESIDENT: There is not likely to be much controversy on the matter.

SAHIB BAHADUR P. S. MUHAMED: തിരുവിതാംകൂറിലെ മുസ്ലീമിങ്ങൾ എല്ലാം ഒരേ രീതിയിൽ കഴിഞ്ഞുകൂടുന്നവരും പരസ്പരവിവാഹം നടത്തിക്കൊണ്ടുവരുന്നവരും ആണെന്നുള്ളത് എല്ലാവർക്കും അറിയാം. അതുകൊണ്ടു നിയമം എല്ലാവർക്കും ഒന്നുപോലെ ഇരിക്കേണ്ടതാണ്. കൊച്ചിയിലും മലബാറിലും ഇതിനനുസരണമായ നിയമങ്ങൾ പാസാക്കിയിട്ടുള്ളതിനാൽ ഈ നിയമം ഇവിടെ നടപ്പിൽ വരുത്തണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

SAHIB BAHADUR N. M. MOHAMMED ABDUL KADIR (*Ambalapuzha cum Shertala*): Sir, I rise to support the Bill introduced by my honourable friend Mr. P. S. Muhamed.

In almost the whole of India, legislation has been made to prevent the Cuchy Memons from following the Hindu law of inheritance.

In Travancore it has been an age-long custom among this section of the Muslim community to follow the Hindu law in the matter of inheritance. This is wholly un-Islamic, and the present Bill is intended to bring the Cuchy Memons also under the scope of the Muslim law.

The majority of the Cuchy Memon families of the State are in Alleppey and most of these families have marriage ties with Cochinites. As such, so much complications arise in the matter of inheritance, as while in Travancore they follow the Hindu law, in Cochin they have to follow the Mahomedan law.

Sir, it is only in the fitness of things that legislation is made to prevent this section of the Muslim community from following the un-Islamic law of inheritance, and they are compelled to follow the Mahomedan law.

Therefore, Sir, it is with great pleasure that I support the Bill.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be "The Travancore Cuchy Memons Bill."

SAHIB BAHADUR P. S. MUHAMED: സർ, ഈ ബിൽ താഴെപ്പറയുന്ന അംഗങ്ങളടങ്ങിയ സിലക്ട് കമ്മിററിക്ക് അയയ്ക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

൧. മെസ്സേഴ്സ് ടി. പി. വേലായുധൻപിള്ള
൨. കെ. സി. കരുണാകരൻ
൩. അബ്ദൽക്കാദർ
൪. മക്കാർപിള്ള
൫. എൻ. ആർ. കൃഷ്ണൻ
൬. കൊററാലിൽ പി. എബ്രഹാം
൭. ജോസഫ് വിതായത്തിൽ
൮. എസ്സ്. നാരായണപിള്ള
൯. നാരായണക്കുറുപ്പ്
൧൦. രാമൻകുഞ്ഞ്
൧൧. ശ്രീമതി നാരായണിയമ്മ
൧൨. ഡിപ്യൂട്ടി പ്രസിഡൻറ്
൧൩. ലീഗൽ റിമെംബ്രൻസർ

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I second it.

The motion was put to vote and carried.

THE TRAVANCORE ANTI-DOWRY BILL.

SRIMATI T. NARAYANI AMMA: I beg to introduce the Travancore Anti-Dowry Bill. I do not think it is necessary for me to make a lengthy speech to commend the general principles of the Bill for the acceptance of the House. The Statement of Objects and Reasons appended will speak for itself. It appears to me that, speaking to a body composed as this Assembly is, there is hardly anything for me to add to the Statement of Objects and Reasons.

Sir, Travancore has always been in the forefront in regard to healthy measures of social reform, and it appears to me that the passing of this Bill will be another notable contribution to the well deserved fame which Travancore already has in this field.

It is true that the dowry system is not prevalent in Travancore to the extent to which it obtains in some other States and Provinces. But, that it does exist cannot be denied. In the communities among whom it is prevalent, it is becoming more and more current, so much so it has now become a serious social evil, calling for immediate eradication. Those who would compare Travancore with other States and Provinces, in regard to this social evil, have also to bear in mind the fact that the economic condition of the people of Travancore is worse than that of the people outside, so that the dowry system causes comparatively greater havoc here than in other places.

Then again, Sir, as stated in the Statement of Objects and Reasons, the dowry system, by whatever name it is called and in whatever form it is observed, vitiates the sacredness of marriage and is very often the cause of unhappy alliances and family quarrels; there are many families which have been ruined on account of this dowry system. It is the duty of every one interested in the progress of the State to prevent such unfortunate happenings. The present Bill is a humble endeavour in that direction.

Honourable members will kindly note that it is a modest measure aimed at the abolition of the dowry system as such; it does not seek to prevent the taking or offering of small presents voluntarily and spontaneously offered as a token of natural love and affection. I trust the principle of the Bill will be unanimously accepted by the House.

MR. PUTHUPALLI S. KRISHNA PILLAI: Is there a similar enactment anywhere else?

SRIMATI T. NARAYANI AMMA: Yes, in Bombay, Behar, and some Indian States.

SRIMATI K. DEVAKI ANTHARJANAM: I second it.

MR. DOMINIC JOSEPH (*Vaikom cum Kottayam*): I commend the spirit which has animated the honourable member in introducing this measure. But I am constrained to observe that this Bill, if passed, will bring about grave unsettlement of laws and customs now in vogue. It is a moot question whether social reform should be effected by educating public opinion or by compulsory legislation. In a matter of this kind, what has first to be looked into is the sense of the dowry-giving communities in the State. Has there been any demand from those communities? So far as I know, there has been no such demand.

PRESIDENT: The honourable member will be perfectly safe in assuming that no man will pay dowry unless he is asked to pay; nobody pays it willingly.

MR. DOMINIC JOSEPH: Among Christians, it is the father's share in the property that is paid off as dowry. If the payment of dowry is penalised, what will be the lot of the daughter? The bane of the economic system in Travancore is said to be the extreme fragmentation of holdings. Will not this measure, if passed accentuate that evil. For all these reasons, I submit that the Bill is not called for, at this stage.

PRESIDENT: Before we go further, let us make one or two points clear. Having regard to the importance of the matter, I would suggest to the honourable mover that public opinion should be more thoroughly gathered and collected. I have heard of cases—I do not wish to say anything more—of brilliant young men, desirous of prosecuting their post-graduate study in England or America obtaining something at the time of marriage and packing off to those foreign countries almost immediately after the marriage. Now, would such a case be rendered penal by Clause 3 of the Bill? Then again, supposing a gift of, say, Rs. 1,500 is given at the time of the marriage. How far will that gift be voluntary or spontaneous under the provisions of this Bill? There are very many other difficult questions connected with this matter. There is no question as to the fact that the dowry system is bad on principle. But the question is if and how far it can be regulated by law. If this Bill is to become law, would it not be in advance of public opinion? Those are some of the matters that have to be looked into. I have no objection to the Select Committee taking evidence; but practically the entire population may have to be examined. It would seem necessary to invite public opinion before the Bill is proceeded with after introduction. Of course, it is entirely left to the honourable mover.

What is the opinion of the Legal Remembrancer?

MR. PUTHUPALLI S. KRISHNA PILLAI: The mover has stated that the evil of the dowry system is not as acute in Travancore as it is in British India. In my opinion, the provisions of the Bill are not quite suited for Travancore conditions. I should also say that it is rather premature.........

PRESIDENT: Apart from all that, what I am suggesting is that this is a matter on which evidence will necessarily have to be taken by the Select Committee; and, in this matter, such evidence is bound to be protracted and very expensive for the State. Therefore the question is whether it would not be better for the mover not to proceed straightaway for the appointment of Select Committee, but to invite public opinion on the matter.

MR. PUTHUPALLI S. KRISHNA PILLAI: I think that would be the better course. After the first reading, the second reading may be postponed pending the circulation of the Bill and invitation of public opinion on the matter.

PRESIDENT: Then, on the merits, there are one or two aspects which evidently the honourable mover has not paid advertance to. Under Hindu law—under present Hindu law I should say, because the position seems to have been different during the period of the Upanishads—the girl does not inherit her father's property along with her brother. That is the position under the Mitakshara Law. The Mithila School makes a slight difference. That being so, the dowry is often a kind of compensation paid for the benefit of the girl as she could not otherwise get any share in the family property. I wonder whether the honourable mover, the doughty champion of women's rights, in sponsoring this Bill, would not be really working against the interests of the feminine population by penalising what may be called a family settlement in favour of the girl; because under the provision of the Bill the girl will not get anything at all out of the family property. Even the comparatively small amount which is paid as dowry will be saved to the brothers. That is an aspect which, I venture to think, has not been fully adverted to by the honourable mover. I quite see that, in several cases, the dowry system has led to regular persecution of the girl's parents; but, unfortunately, in certain cases, the dowry is the only substitute, in fact all that a girl gets from her family of birth.

SRIMATI T. NARAYANI AMMA: My idea was that this Bill would be followed by a change in the Hindu law of inheritance.

PRESIDENT: As is well known, that has been considered in British India. The Mitakshara system is now followed roughly by 100 million people all over India; in South India itself there are about 25 million people following that system. Naturally, there are alliances between these people resident in the Madras Presidency, in Cochin, British Malabar, and also in other places in India. If the law of inheritance is altered in Travancore with regard to these people, very many complications would arise. For instance, what is to happen in the case of a girl, born to a family living in Travancore, who is married to a boy whose people belong to the Madras Presidency; or again, a girl belonging to British India who is to be married to a boy belonging to Travancore; she won't get any share of family property under the law in British India, while her

husband will have to share his property with his sisters, under the law here. And then, suppose somebody dies here, and all the heirs live outside Travancore. What is the law to be applied in such a case? It will lead to endless conflict of law and jurisdiction. The matter reqires deep consideration. I would therefore request the honourable mover to stop with the mere introduction for the present, and to elicit public opinion on the matter before proceeding further.

The motion for introduction was put to vote and carried.

MR. JOSEPH VITHAYATHIL: I oppose the Bill.

PRESIDENT: Very well, you can oppose it after lunch. (*Laughter.*)

The House adjourned for lunch at 1 P. M. and reassembled at 2 P. M. with the Deputy President in the Chair.

MR. JOSEPH VITHAYATHIL: Sir, I oppose the introduction of the Bill. I cannot accept the principle of the Bill. Assuming that the dowry system is a social evil I do not think that it has to be eradicated by a final legislation of this kind. I have no doubt that the legislation will do more harm than good. So long as the State cannot compel a man to marry a particular woman I do not think that a legislation of this nature will be effective. It is not at all justifiable on principle to punish a man for insisting that his partner in life should have an independent means of livelihood—something of her own to fall back upon in times of need. When the initial enthusiasm cools down and the parties settle down in life it is not very comfortable for either party to be an absolute pauper. Therefore on principle there is nothing objectionable in a man demanding a sum of money as a means of maintenance for the woman he proposes to marry. In all countries of the world the dowry system is prevalent in one form or other. In European countries marriage settlements or settlements in consideration of marriage are very common. According to this Bill such a settlement or contract for settlement will be an offence. In the statement of objects and reasons the honourable member has discussed the origin of the dowry system. Any discussion on that question would be only of academic interest. The honourable mover says that the system has its origin in marriage by purchase. But mrrriage by purchase, even according to the mover, was purchase of the bride and not that of the bridegroom. If we view the dowry system in that light it is a purchase not of the bride but of the bridegroom. Whatever may be the origin of the system we are only concerned with the practice as it obtains today. The question for consideration is whether it is objectionable to pay something to a girl at the time of her marriage—whether you call it dowry or a settlement in her favour, and even if it is objectionable whether it is proper to make it an offence.

Now, Sir, under the Christian Succession Act the daughter is not entitled to a share in her father's properties, but only to stridhanam. According to this Bill it will be an offence if she is paid the stridhanam she is legally entitled to. If that stridhanam exceeds one thousand

[Mr. Joseph Vithayathil]

rupees it will be an offence even if it is paid out of natural love and affection and not in consideration of her marriage. In the case of the Hindus following the Mitakshara law the daughter is not entitled to a share in the family properties and if this Bill becomes law she cannot also be given anything as a means of maintenance of herself or her children. I do not know whether the honourable mover wants to help these women or to render their position still worse. If this Bill comes into law it will have disastrous consequences. It will cause not a little confusion and dislocation. And it is very doubtful whether such a legislation will actually prevent people from demanding dowry. If the system is a social evil the only effective way of eradicating it is by creating strong public opinion against it. Let women refuse to marry men who demand dowry.

If this Bill gets a place in the Statute Book nobody will be safe. It can very easily be used as an instrument for harassing innocent persons. If a particular marriage proposal breaks through the disappointed party will be very much inclined to make use of this enactment for wreaking vengeance. According to clause 3 payment of an amount not exceeding Rs. 1000 is not an offence provided it is paid out of natural love and affection and not in consideration of marriage. Here it is the state of mind that counts. It is the mental attitude that is punished and not the act. And we know how difficult it is to ascertain a man's state of mind. The saying is that not even the devil knows the mind of man. Then again if the value of the articles given is estimated to be not more than Rs. 1000 it is not an offence; but if it is estimated to be Rs. 1001 it is an offence. If the payment is made within a particular period it is not an offence, but if it is paid one day earlier or later it is an offence. No more comments are necessary on a Bill of this nature. I repeat that an enactment of this nature will have very mischievous consequences and will be a source of embarrassment to the people. It is an elementary principle of legislation that we should not create an offence which it will be difficult to prove and which at the same time may be made use of for harassing innocent people. Any amount of change in the provisions of the Bill at the Select Committee cannot improve the Bill, because the root principle itself is unacceptable. Therefore I strongly oppose the introduction of the Bill.

MR. JEBAMONY NADAR: Sir, I support the principle involved in the bill though I desire to have some changes in some of the provisions of the Bill. The principal object of this Bill is to see that the sacredness of marriages is in no way vitiated by ideas of purchase and sale. I take it, that the Bill is based on the recent enactment passed by the Sind legislature. Sind is a muslim province where non-Muslims are only about 10 per cent. According to Mahomedan law daughters inherit the property of their fathers. But, in Travancore, we have got two systems of inheritance, makkathayam and marumakkathayam. According to the former, property devolves on male heirs to the exclusion of females and the latter system recognises no such exclusion.

As for the Mitakshara law, daughter is not entitled to a share in the property of the father, if there be a son or other male heirs. Hence Travancore cannot adopt in its entirety the Sind law. When we legislate, therefore, due consideration has to be paid to the two systems that are in vogue here. One is, those who inherit property by their Law of Succession, and the other, those who can have absolutely no rights at all in property. The bill as it stands places both, in the same position which is manifestly inequitable. Hence the Bill requires modification.

Secondly, in view of the fact that marital relations between people in British India and Travancore are becoming common and also in view of the existing law of stridhanam in British India it is only legitimate that the operation of the bill is restricted to those marriages that are solemnized within Travancore between Travancoreans. Otherwise, it would be doing a sort of injustice to the country itself. Supposing a man in Travancore marries a girl in British India and the girl's father is prepared to give a big amount as dowry, should we, by this legislation, prevent that amount coming into our country? The Bill as it stands has that effect. Further that generous father who is not guilty by the law of his country is a culprit according to this Bill.

Then, a third objection is with regard to clause 8 relating to the enquiry. It is said that no pleaders shall be allowed to appear in the proceedings that might arise under this new law. Ordinarily when a person is accused of an offence, he has a right to be defended by pleaders. But for offences coming under this bill, that valuable legal right is taken away. This might be detrimental to the interests of the accused.

MR. E. SUBRAMONIA AIYAR (*Nominated*): Is defence by pleader an inherent right or one that is to be prevented by statute?

MR. C. JEBAMONY NADAR: I take it that it is an inherent right which is also recognised by statutes that are in force in Travancore such as the Criminal Procedure Code.

Now let me refer to another part of this clause which provides that offences under the Bill should be tried in camera. Travancore Courts do not usually regulate their procedure so as to give undue prominence to Ghosa system which is prevalent in Muslim countries.

Hence I do not approve of the idea of the matter being tried in camera. In order to give due publicity as a sort of preventive propaganda proceedings should be conducted in open court. I also desire that voluntary gifts that are being given at the time of marriage should be excluded. That is done by relations, by friends and well-wishers. It is an act arising out of good intentions. Therefore I do not see any justification for penalising such charitable acts. In spite of all these I support the Bill because there may be cases in which the condition of parents are such that they may not be in a position to give big amounts as stridhanams to their daughters. In such cases some kind of relief is called for. The unmarried daughters may be a source of anxiety to some because of the idea that a big sum has to be given in order that

[Mr. C. Jebamony Nadar]

the daughter may get a suitable husband. It is necessary to allay this feeling of anxiety. My hope is that this Bill will help to create an impression in the minds of the public that one should not expect a large amount as dowry. I do not however think that the words dowry and stridhanam are synonymous. If I understand correct, in Hindu law, 'stridhanam' is more or less a compensation paid to a female as her share over the properties of her family. The word dowry is a general term unlike the word stridhana which is a special feature of the Hindu law. In that law, it has a definite significance. In fact, the right of a female for stridhanam is a recognised legal right and is prevalent among various communities and it has been a good law for centuries. When we enact a new law ignoring such established law, I submit that it is likely to cause great hardships, unless we provide for sufficient safeguards. In the case of a daughter getting married when the father and mother are alive, it is true that she gets a decent amount as dowry. But her position would be miserable if the parents die and if she has to be under the guardianship of her brothers and consequently of her sisters-in-law. Experience may teach us that such unfortunate maidens should be assured of their legal right to stridhana in proportion to the means and status of the family. I am also not sure how far the provisions of the Bill would affect the existing Hindu Law of stridhanam and the provisions of Act II of 1092. I hope that the honourable mover would see that these suggestions are given due consideration. Subject to these remarks I support the principle of the Bill that there must be some restriction as to the amount of the dowry.

MR. M. SIVATHANU PILLAI: May I know what part of the Bill the honourable member is supporting?

MR. C. JEBAMONY NADAR: That part of the "objects and reasons' which reads thus :—

"There is a growing feeling among the public that the dowry system, by whatever name it is called, and whatever form it is observed vitiates the sacredness of marriage and is very often the cause of unhappy alliances and family quarrels. Indeed the economic condition of many families and communities may also be said to be affected by the dowry system."

The Bill helps to avoid such a state of affairs. To that extent I support the Bill.

MR. E. SUBRAMONIA AIYAR: Sir, I may say at the very outset that I do not see my way to find anything in the Bill to commend itself to me, at any rate. No doubt, my friend Mr. Jebamony Nadar rose to support the Bill and sat down by opposing the Bill, if I may say so. He said that there are very many things which must be kept in-tact as they stand at present and no inroad should be made upon them by this Bill or any other bill. If one's object is merely to have an anti-dowry bill in the Statute book to adorn it, then

one may please oneself. If on the other hand, the object is to achieve anything substantial to subserve the interests of the country, to promote, as it were, the advancement of even a single individual in the State, I dare say and that without any hesitation, that this Act will never serve that purpose. It is wholly unnecessasy at this time of the day to canvass the origin of property given to the daughter or to the son-in-law. I use the word "property" given to the daughter or the son-in-law to avoid the objectionable term dowry. You should not call a dog by a bad name and then hang it. It is absolutely unnecessary therefore to canvass the origin of that system. It is stated that it arose out of marriage by purchase. There was a time when wives were got by paying money. In my younger days, some 40 or 50 years ago, the idea of paying money to get a bridegroom did not come into vogue. Parents wanted a wife for their son and naturally money was paid to get one. The marriage ceremony was conducted in the house of the bride, but with the advance of western education and its value and its blandishment bridegrooms began to acquire what is called a market value. To put it in plain terms, an old widow with a son somewhere near the school final class with two milch buffaloes to boot was in a position to demand a very good value for her son in the marriage market. And now, what is the situation? Let us take the case of a person who has passed his M. A. or M. L. What is his market value today?. Probably if he has got a job on Rs. 25 in permanent Government service or say in an Aided School a quasi permanent service, or, atlast, in a firm of standing or the like then he may have some market value. And that value is very little. If some 20 or 25 years ago it was brought to the notice of the public that this system is gaining currency and that, something will have to be done to check it, probably a case would have been made out. I say therefore that it is not necessary to canvass the origin of the system. Whether it arose through marriage by purchase or whether it became a recognised fact for other reasons, the question really is what is 'the dowry' which the mover has in view and which she wants us to put an end to. My learned friend Mr. Jebamony Nadar was in the same situation as myself. He thinks that by the word "dowry," "stridhanam" is meant. No doubt the word used is dowry. Stridhanam is known and recognised in Hindu Mitakshara law and in the Manusmrithis. Stridhanam is also provided for in the Christian Succession Act. When you are having a legislation you must exactly know where you stand. One must know one's mind about it. One of the evils of the system stated is this. The parents procure husbands for their daughters either by payment in cash or by meeting their expenses for higher education in the Indian Universities or foreign. This practice has come into vogue among the Nairs and other communities. Let us take it that this is a fact for the purpose of argument. I ask you whether this is a pernicious practice. If you can lavish lakhs and lakhs of rupees upon your sons for education in foreign universities and such other purposes so that he might come over here, wedded to, —well, sometimes not with desirable consequences. If you can spend money upon your sons for higher education why

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should you not spend some upon your daughters' husbands on whose well-being depends the well-being of your daughters. Am I to spend money upon myself alone and not upon my wife ? And is there not a duty upon an opulent wife to support helpless husband. In America there is a duty upon the wife to maintain the husband if the fermer has means and the latter has not. We do not want such a legislation here, because we are not such a commercially minded people. This does not mean that I am throwing aspersons upon the laws prevailing in other countries. Here we view everything from the standpoint of duty and custom. If a young man is very poor and has no means of educating himself properly, and if, taken at the right time, and properly handled, he will develop himself into a power for the good and prosperity of not only his people but also of the State, why should not a parent get hold of such a boy marry his daughter to him educate him and make him a real man so that he may of use not only to himself, his wife and children but also to the State, daily growing in manhood, intellectually. morally, and physically. He will be a strength to the State. And if there was no such motive behind, money would not have been spent by fathers for educating their sons-in-law. My view is that if they do this, they are doing something in the right direction. There is nothing pernicious about it.

Now, let us look back. Without going to the times when society was in a most promiscuous condition, leaving aside that, let us look at the time when society really existed when there was some order and regulation. Now according to Manu the old writers like Brahaspati, Narada, Vishnu and others, the daughters have had a share in the property of the father. But there were two principles running in the Hindu Law. That is, the distinction between the joint family property and the separate family property. So far as the fathers' property is concerned, when that property was divided among the sons, the daughter was also given a share though not an equal share. This is something analegous to Mohammedan Law. Gradually, it was interpreted to mean that this share was intended as a provision for marriage. This interpretation gained strength and now the law is that the daughters are not entitled to a share but they are entitled to have a provision for their marriage made on the allotment of property. And what is this provision for marriage. The expenses incurred by the manager, or kartha of a Hindu undivided family on marriages and other rites were considered to be legitimate family expenses.

Stridhanam was never considered to be against public policy. It was recognised particularly in Hindu Law. It was considered to be valid and proper by ancient sages who thought that it was absolutely in the interests of the daughters. It was never considered to be against public policy. Moreover, whatever may be good in one system of law may not be equally good in another system of law. It all depends upon the society for which the law is made. In fact, everybody will agree with me when I say that laws are not made to be worked up in the abstract. Law is never divorced from life. Law is a factor which is closely inter-related to life. And if you

find that a particular rule of law obtaining in a particular society does not obtain in another society and was conceived to be against it, or is found to be prohibited by another system, we should not blindly stand up and say that that is the best thing and this should go. To make myself plain, a rule of law which is made, recognised and adopted for what is called group living and group ownership for collective life, for corporate life, should not be interfered with, and should not be treated as a pernicious thing from the stand point of what is called modern day individualism. A good deal of what obtained in Hindu Law may not appeal to persons who are trained in the individualistic school of thought. So, we must seriously think before changing an existing system of law, and introducing a piece of legislation which is not merely a modification of the system but one penalising it. Before adopting any such legislative means one should be throughly convinced that the existing system is fundamentally and ethically wrong.

Now, as I do not want to take much of the time of the House, I do not go into details any further, because, if I do so much will have to be said on either side. I wish however to make two more observations before I close. After all, is not the time ripe to lose faith in the efficacy of the present penal laws and reconstruction of society by penalising certain acts? Criminalogists have more or less now agreed that punishment is of no value if reformation of the delinquent is the object.

I ask what useful purpose will be served by adding to the Statute Book more penal laws? Are we not losing faith in penal laws? If penal laws are to be introduced, then so many things have to be penalised. It is well known that there is commercial bribery going on in a very great measure. Every commercial man will admit that. Then why should we not penalise what is called commercial bribery? Non-marital sex expression, in my view, is rampant. Do you make bold to penalise that system, when its morality, if not immorality is very patent to us, when most of us, are beginning to lose faith in the potency of legislation as an instrument to mould or form the character and improve the mental make up of the individual? Mental equipment depends upon one's heritage, one's traditions, environments and the society to which one belongs. Therefore, remedies in this line do not lie in legislation. Let us not be blind. Let us not make attempts at unnecessary legislation and induce, as it were, the doing of things which are unwarranted and unnecessary. If you preach about prohibition to a child, it will create sometimes a reaction which is directly opposite to what is contemplated or prohibited. If you ask people to refrain from drink or prohibit them from smoking, the unnecessary curiosity of some will be roused and the result will be perhaps the perpetration of the very act that is desired to be prohibited. If my friend preaches that a particular thing should not be done, perhaps for that very reason I may like to do it at least when he is absent. The truth is that there is very often a mental reaction to every legislative enactment, which stimulates the doing of the exact opposite of what is contemplated. It is quite easy for us to find a piece of legislation in far

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off Sind or, in some remote part of the Himalayas. It might be that we chance to hear of it and proceed to frame the like of it here. It is easy; but what would be the reaction of that law here? How will the people receive it here? Would it help society? My humble submission is that every act that the Legislature enacts will react and we do not know what exactly the reaction will be.

Proceeding further, let us come to some of these definitions. I am unable to support anything in this Bill. What is the definition given for the word "Dowry". So far as legislation is concerned, without meaning any offence to anybody and trusting honourable members of this House will excuse me, let me say that it should be the result of our heads being put together. Let it be the result of our joint thinking, if I may say so, of our joint labours than a haphazard selection of things from a Statute Book from elsewhere. In the matter of legal acumen, in the matter of draftsmanship and in the matter of understanding conditions upon which certain rules of law will act and the implications thereof, I may proudly state that we are not in any way inferior to others outside. Often, we commit mistakes by blindly copying legislation. Even in the case of Acts which have been propounded in British Indian Provinces like Madras, Bombay, Calcutta, by blindly copying them we have sometimes been able to know the pit falls therein and the enactments have been so modified as to suit the conditions in Travancore. Consequently, if you feel that there is something in Travancore which requires a curtailment or a restraint why should we not put our heads together and satisfy ourselves first and if legislation is found necessary, then, resort to it. Reverting to the difinition of the dowry, "Dowry means and includes stipulations made in connection with marriages, fixing the quantity or quality of things to be paid for in cash or kind on ceremonial or other occasions before or after the marriage and the giving and receiving of presents in cash or kind." This inclusive definition is a great danger. It merely indicates the inability of the drafter to define it precisely and the anxiety of the drafter to see that nothing escapes. One is not sure of his own ground when one makes a law disturbing the state of things existing. Are we not entitled, especially when penalising, to know the exact nature of the existing state of things, to know what exactly this dowry means? Whenever I find the words "inclusive" in a definition certainly I would say it is a danger signal. Then, "stipulations made in connection with marriage," Do you take it as stipulations made fixing the quantity or quality of things to be paid for in cash or kind on ceremonial or other occasions? What does this mean? Certainly, among some communities for the marriage functions the bridegroom should purchase clothes for the bride and the clothes will be 3 or 4 in number. When the marriage is settled, the bride's father tells the bridegroom's father this, so that he may know exactly where they stand. According to custom, you have to purchase two or three or four cloths. The one is the *Koora Chela*, the other the *Sambandhi chela* and the third the

Nichithambooia Chela and other *Chelas*. The price of these is fixed. The father of the bride may be rich and between them they may celebrate the marriage in as grand a scale as possible and then cloths of the first order are to be got and then only the marriage will be settled. 'Dowry' means "any stipulation made in connection with marriages fixing the quantity or quality of things to be paid for in cash or kind on ceremonial or other occasions before or after the marriage and the giving and receiving of presents in cash or kind." Well, life becomes impossible and marriage is considered to be a necessary institution by all kinds of thinkers, even philosophers included.

Then, entering into this marriage or into this marital relation or bringing about this relation would be dangerous. I want my daughter and another man's son to be married and my act will be attended with all these dangers. Well, I would not have married at all if such a law had been in existence then, but now it is too late to think of it. (*Laughter*) Sir, I sound a note of warning. Let us not increase the burden of parents who had been unfortunately responsible for the coming into existence of a number of people, males and females and who by the system of law to which they are subject, educate and marry those people. Let us not increase the burden of these frail and weak persons to whose care are committed the well being and progress of their children. There is no use of making laws of this kind.

Then later on, another provision. One is surprised that, I mean no offence to anybody, legislation is sought to be introduced based on these principles. If I use strong language; and if there is anything strong in my statement, take it that it is the result of strong feeling. "No offence is committed if, at any time after marriage, things like fruits, sweetmeats, or small presents are exchanged voluntarily and spontaneously in consideration of love and affection." Sweetmeats and "'ഷിോരിതു്"! I ask whether we are really serious in this piece of legislation. If Sind Government had not the dignity to eschew such a legislation, are we like mutes and dumbs to adopt them into our Statute Book and mar the fair face of our Legislature? Looking at this with the back ground of our legislative enactments, are we not proud to say that this is silly, this is wild? I ask the conscientious opinion of this House about this voluntary gift, about this spontaneous gift, this stipulation. Lawyers know, if anybody knows, human nature well, that what is voluntary and spontaneous will appear to be forced and extorted and what is forced and extorted will appear as spontaneous and voluntary. As an old Judge said, I believe it was Lord Brian, "Even the devil knoweth not the thought of man". Even the devil who is a person capable of a lot of mischief does not know the mind of man. When you speak about voluntary gifts, about good intentions, good faith, the mind and the rest of it, why not you say what the tests are. Why should all these troubles be thrust upon the poor parents who wish to gratify the innocent desire of marrying their children. Is it the intention of the mover that this Stridhanam system that obtains in the Hindu law, that obtains in the Christian law, should be given up or is the learned mover confining herself to the particular matter that at the time of the marriage or before,

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apart from the question whether Stridhanam is to be given or not, nothing should be given to the girl, or her husband? When we come to the sacredness of marriage what shall I say?

(At this stage the Dewan President took the chair)

Marriage is sacred. It is inviolate. No interference should be made with it. It is a very great and high ethical institution. Any ethical institution which has the slightest taint or what is called money influence contains within it the germs of decay and corruption. Therefore money influence or any other influence of a like nature should not come into or interfere with the marital relations. All, fine reading in a book of philosophy! But when we come to the hard realities of life marriage is sacred to those who observe it. Nowadays we want what is called civil marriage and divorce. Then where is the sacredness about it?

PRESIDENT: I take it that the underlying idea is stopping the payment of money. There is no question of sacredness in this Bill.

MR. E. SUBRAMONIA AIYAR: Sir, certainly I cannot be accused of irrelevancy.

PRESIDENT: I am not going to accuse a trained lawyer as the honourable member of irrelevancy. But the point is that as the Bill is framed the sacred aspect that is indicated is the natural love and affection that is referred to in clause 3 exception. Otherwise it is purely a question whether it is expedient or not to prevent the giving and taking of dowry.

MR. E. SUBRAMONIA AIYAR: The mover of the Bill in the statement of objects and reasons has stated thus—

> "There is a growing feeling among the public that the dowry system, by whatever name it is called and in whatever form it is observed, vitiates the sacredness of marriage................"

PRESIDENT.: On the other hand the honourable member will look at the Preamble which says—

> "Whereas it is expedient to restrain the custom of taking or offering dowry in marriages".

MR. E. SUBRAMONIA AIYAR: When I was discussing the principle of the Bill, I was at pains to discover the propelling force which prompted or drove the mover to come to this House with this piece of legislation and searching for it in the statement of objects and reasons I found in one place "that it is ill suited to the spirit of the times........that dowry marriage is the universal custom among Brahmins and that it is also prevalent among Christians and becoming prevalent among Nairs, Ezhavas and Nanjinad Vellalas." In another place it is stated that there is the practise of sending the son-in-law for higher education to foreign universities. The third is a great faith in the sacredness of marriage which is likely to be damaged or belittled by introducing the money element. Certainly, I am at one with the mover in that high ideal reached by the mover in the third part. I am also one who is aware of the fact that not only in regard to marriage but in every

ethical institution if there is the slightest taint of what is called money influence, that institution will have in it germs of decay and is liable to corruption. That is why we find that in the Contract Act, the Transfer of Property Act and enactments of a like nature, contracts in restraint of marriage are void and moneys paid in consideration of marriage will not be repaid. I was only pointing out that so far as Travancore is concerned, there is no necessity for a law of this description. The evil is only imaginary. There was a time when this evil was spreading from one place to another. That was about 20 years agò when it became virulent and the market value of the bridegrooms rose on account of western education.

PRESIDENT: And the greater chances of employment.

MR. E. SUBRAMONIA AIYAR: I wanted to say that next in an euphemistic way. But people very soon opened their eyes and now an M. A., M. L. with the mere degree will not compare favourably with a strong and stout man who knows how to turn the mortar and make Rs. 15 a month. That is the situation now. The so-called dowry system has itself died out and every parent is now anxious to find out a boy who is hearty and hale, who can run, who can live, who is not carried away by high notions, who has got the power and the willingness to shoulder his own responsibilities of a family life.

I was then pointing out what exactly the significance of the dowry here is. Does it attempt to interfere with stridhanam as it is understood? I was also referring to the "fixing of the quantity or quality of things to be paid for in cash or kind" and was giving a homely illustration of the purchase of a Koorachela for Rs. 300 or Rs. 400 and for which I may have to answer in court of law. I was also referring to the futility of legislation in a matter like this and I was appealing to the honourable members of this House not to increase the already existing burdens of the parents who are even, as it is, groaning under the weight of the economic and other kinds of depression. I need not dilate upon those things, because the day before yesterday I found there was a great demand for distribution of offices. It shows our helplessness in a situation like that. I was also pointing out that a system of law which has come out of a group system should not be interfered with by a rule of law which is unsuited to it. I do not want to take up the time of the House any further. For the present I would fervently appeal to the members of this House and say that we have got a lot of other things to attend to. We can spend our time more usefully, in the finding out of more radical evils and trying to remedy them, if possible. The present bill is a matter of very little moment. Do not interfere with domestic relations and domestic life unless you are compelled to do so.

MR. C. JEBAMONY NADAR: Is this a matter of domestic relation?

MR. E. SUBRAMONIA AIYAR: I am glad the question has come from my friend. As I have read law and understood law, I will advocate the rights of self, individual rights and then a further expansion

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of its domestic rights and a still further expansion of its property rights. I have got a child and it is for me to determine how the marriage of that child should be conducted. My child stands in a particular relation to me and if this relation is not domestic relation, I do not know what other relation it is. Therefore it is I submit that in our overconsciousness of superior wisdom we would not interfere with the group relations which have stood the test of time. Do not be carried away by ideas of mass propaganda or let us not do anything which will cause greater trouble. With these stray observations I would appeal to the House and to the mover of the Bill not to press the Bill. If time does not improve the situation I assure the mover that I shall be the first person to have a bill drafted if I am anywhere near this House. But now is not the time for such a measure.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : സർ, അസാധാരണമായ ഈ ഒരു നിയമം ഇവിടെ കൊണ്ടുവരണമെന്നുദ്ദേശിച്ച നവീനാദർശത്തെ അഭിനന്ദിക്കാതെ തരമില്ല. തിരുവിതാംകൂറിലെ പുരുഷന്മാരുടെ ഇടയിലാകട്ടെ സ്ത്രീകളുടെ ഇടയിലാകട്ടെ, ഇങ്ങനെ ഒരു നിയമത്തിന്റെ ആവശ്യം ഉണ്ടെന്ന് ഇതുവരെ പറഞ്ഞുകേട്ടിട്ടില്ല. പത്രങ്ങളിലെങ്ങും ഇങ്ങനെ ഒരു നിയമത്തിന്റെ ആവശ്യത്തെ പരാമർശിച്ച പ്രസ്താവനകളും ഉണ്ടായിട്ടില്ല. ഇവിടത്തെ ഗ്യാലറിയിൽ സഭാനടപടികൾ വീക്ഷിച്ചുകൊണ്ട് അധികം സ്ത്രീപുരുഷന്മാരെ കാണുന്നില്ല. ഇതിൽനിന്നുതന്നെ ഇതിന്റെ ഗൌരവം എത്രത്തോളമുണ്ടെന്നു മനസ്സിലാക്കാം.

ഈ ബില്ലിനെപ്പററി സവിസ്തരം എന്റെ മുൻഗാമികളായ മാന്യമെംബർമാർ പറഞ്ഞുകഴിഞ്ഞു. കൂടുതലായി ഒന്നും പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഈ ബില്ലു അവതരിപ്പിച്ച എന്റെ മാന്യസ്നേഹിതയോടു ഞാൻ ഒരു ചോദ്യം ചോദിച്ചുകൊള്ളട്ടെ. കറുത്തു വിരൂപിയായും നൊണ്ടിയോ കുരുടിയോ ആയും ഉള്ള ഒരു സ്ത്രീക്ക്, കുറഞ്ഞതും ഒരു ആയിരം രൂപയെങ്കിലും കൊടുക്കാതെ ഒരു ഭർത്താവിനെ കിട്ടുമോ എന്നു ചോദിച്ചുകൊള്ളട്ടെ. പഞ്ചസാരയ്ക്കകത്തു പൊതിഞ്ഞിട്ടില്ലെങ്കിലും ക്വയിനാപ്പൊടി സേവിച്ചേ മതിയാവൂ എന്ന തരത്തിലാണു സ്ത്രീധനം കല്യാണത്തിനു ആകർഷണീയമായുള്ളതു്. അതുകൊണ്ടു് ഈ സഭയുടെ വിലയേറിയ സമയത്തെ പാഴാക്കാതെ ഈ ബില്ലിനെ പിൻവലിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി വിരമിച്ചുകൊള്ളുന്നു.

MR. KAINIKKARA M. PADMANABHA PILLAI: In the light of the observations that have been made, and also considering the complications involved in the matter, with your permission, Sir, I move, under Standing Order 27, that further discussion of the Bill be postponed for circulation and collection of public opinion.

SAHIB BAHADUR P. S. MUHAMED: I second it.

The motion was put to vote and carried.

THE TRAVANCORE CHRISTIAN GUARDIANSHIP BILL.

MR. JOSEPH VITHAYATHIL: I beg to move that I may be granted leave to introduce the Travancore Christian Guardianship Bill.

MR. C. JEBAMONY NADAR: I second it.

The motion was put to vote and carried.

Leave was granted.

THE EZHAVA BILL.

MR. N. R. KRISHNAN (*Ambalapuzha* cum *Sheriala*:) ഈഴവബിൽ ഇവിടെ അവതരിപ്പിക്കുന്നതിനു ഞാൻ അനുവാദം ചോദിച്ചുകൊള്ളുന്നു.

MR. K. KUNJU PANICKAR: I second it.

The motion was put to vote and carried.

Leave was granted.

RESOLUTIONS ON MATTERS OF PUBLIC INTEREST.

MR. K. P. KOCHUKORA THARAKAN: സർ, ഞാൻ താഴെ പറയുന്ന പ്രമേയം അവതരിപ്പിച്ചുകൊള്ളുന്നു.

This Assembly recommends to Government that the areas fit for cardamom cultivation in the Kottayam Division, lying contiguous to the lands assigned for cardamom cultivation in the Devicolam Division which was recently amalgamated with the Kottayam Division, be marked off from the reserve and assigned for cardamom cultivation.

കാർഡമം കൃഷിക്കു പററിയ സ്ഥലങ്ങൾ തിരുവിതാംകൂറിലധികമുള്ളതു് ദേവികുളം ഡിവിഷനിലാണു്. ഏലകൃഷിക്കു കൊള്ളാവുന്ന സ്ഥലങ്ങളെ ഗവണ്മെൻറിൽനിന്നും പതിച്ചുകൊടുത്തു കൃഷി നടന്നുവരുന്നു. അതു് അധികവും വിദേശികൾക്കാണു കൊടുത്തിട്ടുള്ളതും. ഇപ്പോൾ ഇവിടത്തുകാർ ഏലകൃഷിക്കു സ്ഥലമില്ലാതെ വളരെ വിഷമിക്കുന്നു. കോട്ടയം ഡിവിഷനും ദേവികുളം ഡിവിഷനും ഒന്നിച്ചു ചേത്തിരിക്കയാണല്ലൊ. കോട്ടയം ഡിവിഷൻെറ ബൌണ്ടറിയിൽ ഏലകൃഷിക്കു കൊള്ളാവുന്ന സ്ഥലങ്ങൾ ധാരാളമുണ്ടു്. അങ്ങിനെയുള്ള സ്ഥലങ്ങളെ റിസർവിൽനിന്നും വേർതിരിച്ചു പതിച്ചുകൊടുക്കണമെന്നാണു് എൻെറ അഭിപ്രായം. അങ്ങിനെ ചെയ്താൽ ഗവണ്മെൻറിനു തറവിലയിനത്തിൽ ഒരു ഭീമമായ സംഖ്യ കിട്ടുന്നതിനുപുറമെ

[Mr. K. P. Kochukora Tharakan.]

ആണ്ടുതോറും നികുതിയിനത്തിലും ഒരു നല്ല സംഖ്യ കിട്ടിക്കൊണ്ടിരിക്കും. ഏലകൃഷിക്കു റിസർവ്വിനകത്തുനിന്നും സ്ഥലം കൊടുക്കുന്നതുകൊണ്ടു റിസർവ്വു നശിച്ചുപോകുമെന്നു വിചാരിക്കേണ്ട ആവശ്യമില്ല. ഏലകൃഷിക്കു തണൽ ആവശ്യമായതുകൊണ്ടു വൃക്ഷങ്ങൾ മുറിപ്പിച്ചു നശിപ്പിക്കരുതെന്ന വ്യവസ്ഥയിന്മേൽ തന്നെയാണല്ലോ ഇപ്പോഴും പതിച്ചുകൊടുക്കുന്നതു്. അങ്ങിനെ ചെയ്യുമ്പോൾ, മഴയുണ്ടാകയില്ല എന്നു ഫാറസ്റ്ററു ഡിപ്പാർട്ടുമെൻറുകാർ സാധാരണ പറഞ്ഞുവരുന്ന ആക്ഷേപത്തിനിടയുമില്ല. ഏലകൃഷി ചെയ്യുന്നതിനു പററിയ സ്ഥലങ്ങൾ വേറെയുണ്ടെന്നു ലാൻഡ റവന്യു കമ്മീഷണർ പറയുകയുണ്ടായി. അവ റോഡിൽനിന്നും ആറേഴ മൈൽ ഉള്ളിൽ കിടക്കുന്ന പാറപ്പുറങ്ങളാണ്. ഇവ ഒന്നിനും കൊള്ളാത്ത സ്ഥലങ്ങളാണ്. പള്ളിവാസൽ—നേര്യമംഗലം റോഡു വെട്ടുന്ന കാലത്തു് റോഡിൻെറ ഇരുവശത്തുമുള്ള ഒരു നാഴിക വിസ്താരത്തിലുള്ള സ്ഥലങ്ങൾ കൃഷിക്കായി പതിച്ചുകൊടുക്കണമെന്നാണുദ്ദേശിക്കുന്നതു് എന്നു് അന്നു ദിവാനായിരുന്ന മി. വാട്സ് പറഞ്ഞ സംഗതി ഇന്നും എൻെറ ചെവിയിൽ മുഴങ്ങുന്നുണ്ടു്. അവ ഇനിയും പതിച്ചുകൊടുത്തിട്ടില്ല. അപ്രകാരം പ്രവൃത്തിച്ചിരുന്നെങ്കിൽ വഴിയാത്രക്കാർക്കു പള്ളിവാസലിൽനിന്നും നേര്യമംഗലത്തിനും നേര്യമംഗലത്തുനിന്നു പള്ളിവാസലിലേയ്ക്കും വന്യമൃഗങ്ങളുടെ ശല്യംകൂടാതെ യാത്ര ചെയ്യാമായിരുന്നു. എന്നുമാത്രമല്ല ആ സ്ഥലങ്ങളിൽ ധാരാളമായി വളയുന്ന വിവിധതര സസ്യവൃക്ഷലതാദികളും കൃഷിചെയ്തുണ്ടാക്കുമായിരുന്നു. ഈ സന്ദർഭത്തിൽ ആ സംഗതിയെക്കുറിച്ചു് അധികമൊന്നും പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഇവിടെ ഏലകൃഷിക്കു കൊള്ളാവുന്ന സ്ഥലങ്ങൾ തിരുവിതാംകൂറുകാർക്കു ധാരാളമായി പതിച്ചുകൊടുക്കണമെന്നുള്ളതാണു വിഷയം. ഈ സംഗതി ഈ സഭയുടെ പര്യാലോചനയ്ക്കു വിഷയമാകണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. KOTTALIL P. ABRAHAM: Sir, a large number of people have now begun to take keen interest in cardamom cultivation; it is not confined to the people of the Kottayam Division alone. I would therefore support the resolution.

MR. THARIATHU KUNJITHOMMEN: സർ, ഞാൻ ഈപ്രമേയത്തെ അനുകൂലിക്കുന്നു. ജനങ്ങൾക്കു കൃഷിക്കു ഭൂമിയില്ലെന്നുള്ള പരാതി പരക്കെയുള്ളതാണു്. രാജ്യത്തിൻെറ മുന്നിൽ ഒരു ഭാഗം റിസർവാകുന്നു. ഫാറ

സ്റ്റ് കുറവു വരുത്തിയാൽ മഴയുണ്ടാകയില്ലെന്നു ഫാറസ്റ്റ് ഡിപ്പാർട്ടുമെന്റു സമാധാനം പറയും. ഈ പ്രമേയത്തിൽ പറഞ്ഞിരിക്കുന്നപ്രകാരം ഭൂമി ഏലകൃഷിക്കായി പതിച്ചുകൊടുത്താൽ ആ ദൂഷ്യം വരാനില്ല. ഏലകൃഷിക്കു വൃക്ഷങ്ങൾ മുറിക്കുന്നതു ദോഷമാകയാൽ വൃക്ഷങ്ങളെ മുറിച്ചു നശിപ്പിക്കയില്ല. ചെറുകാടുകളെ വെട്ടിത്തെളിച്ചു ഏലകൃഷി ചെയ്കയേ ഉള്ളൂ. ഏലകൃഷിക്കുള്ള ഭൂമികൾക്കു ഏക്കറിനു ൩ രൂപയാണു കരം. ഈ ഇനത്തിൽ ഗവൺമെന്റിനു ആണ്ടുതോറും ഒരു നല്ല സംഖ്യ കിട്ടിക്കൊണ്ടിരിക്കും. ഇപ്പോൾ തറവില ഏക്കറിനു ൯൦ രൂപയുണ്ട്. ആ ഇനത്തിലും ഗവൺമെന്റിന് ഒരു വലിയ സംഖ്യ ഈടാകും. ഈ വിധത്തിൽ ഗവൺമെന്റിനൊ ഫാറസ്റ്റ ഡിപ്പാർട്ടുമെന്റിനൊ യാതൊരു ദോഷവുമില്ലാത്തതും എന്നാൽ ലാഭമുള്ളതും ജനങ്ങൾക്കു കൃഷി വർദ്ധിപ്പിക്കുന്നതിനു ഉതകുന്നതും ആയ ഈ പദ്ധതി നടപ്പിൽ വരുത്തുന്നതുകൊണ്ടു യാതൊരാക്ഷേപവുമില്ല. കൃഷി വർദ്ധിക്കാതെ നമ്മുടെ രാജ്യത്തു ഐശ്വര്യം ഉണ്ടാകയില്ല. ആദായകരമായ കൃഷി വർദ്ധിപ്പിക്കുന്നതിനു പദ്ധതികൾ ജനഭാഗത്തുനിന്നും ചൂണ്ടിക്കാണിക്കുമ്പോൾ അവയെ സന്തോഷത്തോടുകൂടി സ്വാഗതം ചെയ്യേണ്ടതാണ്. ഇപ്പോൾ റിസർവിൽനിന്നും വലിയ ആദായം കിട്ടുന്നില്ല. നാലായിരമോ അയ്യായിരമോ ഏക്കർ പതിച്ചുകൊടുത്താൽ ഒരു വലിയ സംഖ്യ ഗവൺമെന്റിനു ഉടനടി കിട്ടും. ഇപ്പോൾ ൫൨൦൦൦ ഏക്കർ സ്ഥലമാണ് ഏലകൃഷിക്കായി കൊടുത്തിട്ടുള്ളതു. ഇതിനെ സംബന്ധിച്ചു കൌൺസിലിൽ ചോദിച്ച ചോദ്യങ്ങൾക്കു കിട്ടിയ മറുപടിയിൽനിന്നാണ് ഈ കണക്കു ഞാൻ ഉദ്ധരിച്ചതു. ഇതിൽ ൮൦൦൦ ഏക്കറോളമേ സ്വദേശികൾക്കു കൊടുത്തിട്ടുള്ളൂ. ൪൪൦൦൦ ഏക്കർ സ്ഥലം വിദേശികളുടെ കയ്യിലാണിരിക്കുന്നതു. അവർക്കു കൊടുത്തതിൽ ഞാൻ ആക്ഷേപം പറയുന്നില്ല. അന്നു നാട്ടുകാർക്ക് ഈ പ്രദേശങ്ങളിൽ പോകാൻ വളരെ പ്രയാസമായിരുന്നു. ഈ പ്രദേശങ്ങൾ അധികവും പാണ്ടിയോടടുത്ത കിഴക്കൻമലഞ്ചരിവുകളാണ്. അവിടെ മധുര മുതലായ സ്ഥലങ്ങളിലുള്ളവർക്കു കയറുന്നതിനാണു സൌകര്യം. അവർ ആ ഭാഗങ്ങളിൽ കയറി കൃഷി ചെയ്തു. ഗവൺമെന്റിനു തറവിലയിനത്തിൽ ഒരു നല്ല തുക കിട്ടുകയും ചെയ്തു. നാട്ടുകാർ കൃഷി ചെയ്യുന്നതു പടിഞ്ഞാറൻ ചരിവുകളിലാണ്. ഒരു പതിനായിരമോ ഇരുപതിനായിരമോ ഏക്കർ സ്ഥലം നാട്ടുകാർക്കു പതിച്ചുകൊടുക്കണം. മൂവാററുപുഴ തൊടുപുഴ താലൂക്കുകളിൽ ഇതിലേക്കു പററിയ സ്ഥലങ്ങൾ ധാരാളമുണ്ടു. ഇവ തിരുവിതാംകൂർകാർക്കു മാത്രമേ പതിച്ചുകൊടുക്കുകയുള്ളൂ എന്ന വ്യവസ്ഥയിൽ പതിച്ചുകൊടുക്കണം. അപേക്ഷകളുടെ സ്ഥിതിയനുസരിച്ചു ചെറുഭാഗമാക്കി പതിച്ചു കൊടുക്കണം

[Mr. A. K. Kumaran Vaidyan.]

നാം ഇറക്കുമതിച്ചരക്കുകൾക്ക അനവധിപണം വെളിയിൽ അയയ്ക്കുന്നുണ്ട്. ആ പണം നമ്മുടെ കയററുമതിയിൽനിന്നു വേണം ഉണ്ടാകാൻ. അതുകൊണ്ടു രാജ്യത്തെ സാമ്പത്തികക്ഷേമം വർദ്ധിക്കണമെങ്കിൽ കയററുമതി വർദ്ധിക്കണം. അതിനുതകുന്ന കൃഷിയാണ് ഏലം, കുരുമുളക്, ചുക്ക് മുതലായവ. ഇവകളുടെ മാഹാത്മ്യം അറിഞ്ഞിട്ടാണല്ലോ യൂറോപ്യന്മാർ — പോർട്ടുഗീസുകാർ — ആദ്യം കേരളത്തിൽ വരാനിടയായതു്. മൈസൂരിൽ ഏലകൃഷി മുമ്പു ധാരാളമുണ്ടായിരുന്നു. ഇപ്പോൾ കുറെ ക്ഷയിച്ചിരിക്കുകയാണ്. ആകെയുള്ള ഏലത്തിൽ നാലിൽ മൂന്നു ഭാഗവും ഇവിടെയാണുണ്ടാകുന്നതു. ഇനിയും ഇതു വർദ്ധിപ്പിക്കാൻവേണം നോക്കാൻ. ഒരു പതിനായിരം ഏക്കറെങ്കിലും ഉടനടി പതിച്ചുകൊടുക്കേണ്ടതാണ്. ജനങ്ങളുടെ കൃഷിസൗകര്യം വർദ്ധിപ്പിക്കുന്നതിനു പര്യാപ്തമായ ഈ പ്രമേയത്തെ ഞാൻ ഹാർദ്ദവമായി അനുകൂലിക്കുന്നു.

MR. T. C. KESAVA PILLAI : സർ, റിസർവിനകത്ത് കൃഷിക്കുകൊള്ളാവുന്ന സ്ഥലങ്ങളെ വേർതിരിച്ചു തൊഴിലില്ലായ്മമൂലം കഷ്ടപ്പെടുന്ന തിരുവിതാംകൂറുകാർക്ക പതിച്ചുകൊടുത്തു കൃഷി വർദ്ധിപ്പിക്കുക എന്നുള്ളതു ഗവണ്മെൻറിൻെറ ഒരു പ്രാധാന്യമേറിയ ചുമതലയാകുന്നു. തിരുവിതാംകൂറിൽ വിദ്യാഭ്യാസം സിദ്ധിച്ചിട്ടുള്ള പലരും വരവിൻെറ കുറവുകൊണ്ടു വളരെ കഷ്ടതയനുഭവിച്ചുകൊണ്ടിരിക്കുന്നു. അപ്രകാരമുള്ളവരുടെ കൂട്ടത്തിൽപ്പെട്ട ഒരു വക്കീലാണു ഞാൻ. വലിയ മൂലധനം മുടക്കി തൊഴിൽ ചെയ്തു ഉപജീവനം കഴിക്കുന്നതിനുള്ള സൌകര്യം ഇവിടെ ഉണ്ടാക്കണം. സാധാരണ തൊഴിലില്ലാതെ നടക്കുന്ന വക്കീലന്മാരെപ്പോലെയുള്ളവരാണു ഇവിടെ ദുർഘടങ്ങളുണ്ടാക്കുന്നതു്.

MR. A. K. KUMARAN VAIDYAN : തൊഴിലല്ലാത്ത വക്കീലന്മാരാണൊ ഇവിടെ ദുർഘടങ്ങളുണ്ടാക്കുന്നതു്?

MR. T. C. KESAVA PILLAI : വൈദ്യന്മാരുമുണ്ടു്. (ചിരി)

വടക്കൻ തിരുവിതാംകൂറിലെ റിസർവുകളിൽ കൃഷിക്കു കൊള്ളാവുന്ന സ്ഥലങ്ങൾ എവിടെയെല്ലാമാണെന്നുള്ളതു് ആ പ്രദേശങ്ങളെ പ്രതിനിധീകരിക്കുന്ന മെമ്പർമാർ പ്രതിപാദിക്കയുണ്ടായി. അതുപോലെ തെക്കൻതിരുവിതാംകൂറിലെ സ്ഥലങ്ങളെപ്പററി ഞാൻ പ്രതിപാദിക്കാം. മുത്തുക്കുഴിവയൽ എന്ന സ്ഥലത്ത് മുമ്പു മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു എഴുന്നള്ളിയിരുന്നു. ഇറിഗേഷൻ പദ്ധതികൾക്കായി തിരുമനസ്സുകൊണ്ടു

തന്നെ ആസ്ഥലം തൃക്കൺപാക്കുകയുണ്ടായി. ആ സ്ഥലത്തു പത്തുപന്ത്രണ്ടുമൈൽസമചതുരത്തിൽ ധാരാളം ഏലക്കൃഷിക്കുള്ള ഭൂമിയുണ്ട്. അവ കൃഷിക്കവളരെ സൌകര്യമുള്ള സ്ഥലമാണ്. ദിവാൻ പ്രസിഡൻറ് പഴക്കൃഷി ചെയ്യുന്നതിനു നല്ലതാണെന്നഭിപ്രായപ്പെട്ട ഒരു സ്ഥലവുമാണതു്. ഏലക്കൃഷി വർദ്ധിപ്പിക്കുന്നതിനു ആവശ്യമുള്ള സ്ഥലങ്ങൾ പതിച്ചുകൊടുത്തു ഗവണ്മെൻറു തിരുവിതാംകൂറുകാരെ സഹായിക്കേണ്ടതാണ്.

എൻെറ ഒരു സ്നേഹിതൻ ബ്രിട്ടീഷ് അതിർത്തിയിൽ കുറെ സ്ഥലം വാങ്ങിച്ചു ഏലക്കൃഷി ചെയ്തു. അവിടെ ഇനിയും അനേകായിരം ഏക്കറോളം ഏലക്കൃഷിചെയ്യാവുന്ന സ്ഥലങ്ങളുണ്ടെന്നാണ് അദ്ദേഹം പറയുന്നതു്. ഏറോപ്ലേയിനിൽകൂടി പോകുമ്പോൾ ഇവിടെ ഏലക്കൃഷിക്കു പററിയതായ സ്ഥലങ്ങൾ ഉണ്ടെന്നു കണ്ടതായി പറഞ്ഞു. ബ്രിട്ടീഷ്ഇൻഡ്യയിൽ പലരും സെമിൻദാരന്മാരുടെ സ്ഥലങ്ങൾ പാട്ടത്തിനെടുത്തു് ഏലക്കൃഷി ചെയ്തുവരുന്നു. അതുകൊണ്ടു നമ്മുടെ നാട്ടിൻെറ ഐശ്വര്യാഭിവൃദ്ധിക്കുവേണ്ടി ഇവിടെ കൂടുതൽ ഏലക്കൃഷി വർദ്ധിപ്പിക്കയാണു വേണ്ടതു്.

കോതയാർ പ്രാജക്ട് ക്യാച്ച്മെൻറിലുൾപ്പെട്ട വെള്ളം മുത്തുക്കുഴിയിൽനിന്നും തിരുനെൽവേലിക്കു പോകുന്നതിനെ തടയുന്നതിനായി ഗവമെൻറ് നടത്തിവരുന്ന ശ്രമത്തിനു തെക്കൻതിരുവിതാംകൂറുകാർ നന്ദിയുള്ളവരാകുന്നു. പേച്ചിപ്പാറ അണയുടെ സമീപമുള്ള വലിയ ഏല മുതലായ സ്ഥലങ്ങൾ നല്ല കൃഷിസ്ഥലങ്ങളാക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. A. K. KUMARAN VAIDYAN : സർ, ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു. എല്ലാ താലൂക്കുകളിലും സാധുക്കളായ കൃഷിക്കാർക്ക് ഗവണ്മെൻറിൽനിന്നും സ്ഥലം പതിച്ചുകൊടുക്കുകയാണ് വേണ്ടതു്. ധാരാളം സ്ഥലങ്ങൾ ഓരോ ജന്മിമാരുടെയും കൈവശം തരിശായി കിടപ്പുണ്ടു. ധനവാന്മാർ അവരുടെ ഭൂമിയുടെ അളവു വർദ്ധിപ്പിക്കണമെന്നുള്ള വിചാരത്തോടുകൂടിമാത്രം കൂടുതൽ കൂടുതൽ ഭൂമി സമ്പാദിക്കുന്നുണ്ട്. ഈ ഭൂമിയിൽ ഭൂരിഭാഗവും കൃഷിചെയ്യാതിട്ടിരിക്കയാണ്. എന്നാൽ സാധുക്കളുടെ കയ്യിലുള്ള ഭൂമികളെല്ലാം വേണ്ടപോലെ കൃഷിക്കു ഉപയോഗപ്പെടുത്തിക്കൊണ്ടിരിക്കയാണ്. സാധുക്കൾ ജോലി ചെയ്തു നന്നാക്കിവച്ചിട്ടുള്ള ഭൂമികൾകൂടി പണക്കാർ കൈവശപ്പെടുത്താൻ ശ്രമിക്കുന്നു. തെക്കൻതിരുവിതാംകൂറിൽ സാധുക്കൾക്ക് ഭൂമിപതിച്ചുകൊടുക്കുകയും കൃഷിക്കുപയുക്തമായ വെള്ളവും വളവും കൊടുക്കുകയും ചെയ്യുന്നുണ്ടെന്നാണറിയു

[Mr. A. K. Kumaran Vaidyan.]

ന്നതു്. ഇമ്മാതിരി സൌജന്യങ്ങൾ വടക്കൻ തിരുവിതാംകൂറിലുള്ള സാധുക്കളായവൎക്ക് ഗവൺമെൻറിൽനിന്നു ചെയ്യുകയും കൃഷിക്കായി ഭൂമി പതിച്ചു കൊടുക്കുകയും ചെയ്യേണ്ടതാണ്. ഏലകൃഷിക്കു പററിയ സ്ഥലം ദേവികുളം താലൂക്കിലാണുള്ളതു്. ഈ സ്ഥലങ്ങൾ ഇപ്പോൾ കണ്ണൻദേവൻ മുതലായ കമ്പനിക്കാരുടെ കൈവശമാണു്. ബാക്കിയുള്ള സ്ഥലങ്ങളെങ്കിലും മേലാൽ കമ്പനികൾക്ക് കൊടുക്കാതെ സാധുക്കൾക്കു പതിച്ചു കൊടുത്തു അവരെ സഹായിക്കണമെന്നപേക്ഷിക്കുന്നു.

The Dewan President vacated the chair at 3. 35 P. M. and it was occupied by the Deputy President.

MR. T. T. KESAVAN SASTRI : സർ, ഞാൻ ഈ പ്രമേയത്തിൻെറ തത്വത്തെ അനുകൂലിച്ചുകൊള്ളുന്നു. റിസർവുകളിലെ ഭൂവിഭാഗങ്ങൾ ഏലകൃഷിക്കും മററുമായി ഒഴിച്ചു പതിച്ചു നൽകണമെന്നുള്ളതാണല്ലോ വാദവിഷയം. ഏലകൃഷി ആദായമുള്ളതാണ്. അതിനു പററിയസ്ഥലങ്ങൾ പതിച്ചുകൊടുത്താൽ സൎക്കാരിനും ലാഭമുണ്ടാകുന്നതാകുന്നു. ഗവൺമെൻറിനു തക്കതായ ആദായങ്ങളില്ലാത്ത റിസർവുകൾ മേലും ഇതേവിധത്തിൽ വച്ചുകൊണ്ടിരിക്കുന്നതു ഔചിത്യമല്ലെന്നും ജനങ്ങളുടെ ആവശ്യമറിഞ്ഞു് ഭൂമികൾ പതിച്ചു നൽകേണ്ടതു അത്യാവശ്യമാണെന്നുമാണ് എൻെറ അഭിപ്രായം. സർ, കുടിപാൎക്കുവാനോ മരിച്ചാൽ കുഴിച്ചുമൂടുവാനോ തന്നെ സ്വന്തം ഭൂമിയില്ലാത്തവർ തിരുവിതാംകൂറിൽ ഒട്ടും കുറവല്ല. ഇവരിൽ ഏറിയഭാഗവും ഇവിടത്തെ അവശസമുദായക്കാരാണ്. അവശസമുദായക്കാർ വളരെ മുൻപുമുതലെ അന്യരുടെ സ്ഥലങ്ങളിൽ അടകുടിക്കാരായി കഴിയുകയായിരുന്നു. ഇന്നും ഈ നിലക്കു ഗണ്യമായ മാററമൊന്നും ഉണ്ടായിട്ടില്ല. സ്വന്തമായി താമസിക്കുന്നതിനും കൃഷിചെയ്തു ഉപജീവനം കഴിക്കുന്നതിനും ഭൂമി ആവശ്യമാണെന്നുള്ള ബോധം അവശസമുദായക്കാൎക്കു ഉണ്ടാകാൻ തുടങ്ങിയതെയുള്ളു. എന്നാൽ അവരുടെ ആഗ്രഹത്തിനനുസരിച്ച് ഭൂമികൾ സമ്പാദിക്കാൻ സാധിക്കുന്നില്ല. ഇപ്പോൾ ഗവൺമെൻറു അവശസമുദായസംരക്ഷണവകുപ്പു മുഖേനയും മററും അവശസമുദായാംഗങ്ങൾക്കു ഭൂമി പതിച്ച് നൽകാൻ സദയം ശ്രമിച്ചുവരുന്നു. അതു ഇവിടെ അനുസ്മരിക്കാതിരിക്കുന്നില്ല. പ്രത്യേകിച്ചും സൗജന്യപതിവിനു ആരംഭിക്കയും സഹായിക്കയും ചെയ്യുന്നതിനെ മറക്കുവാൻ സാധിക്കുന്നതും അല്ല. മിക്ക താലൂക്കുകളിലും ഈ ഇനത്തിൽ കുറേശ്ശ ഭൂമികൾ നൽകിയിട്ടുണ്ടു്. എങ്കിലും ഭൂമി കിട്ടിയിട്ടുള്ളവരുടെ സംഖ്യ കേവലം പരിമിതമാണെന്നുതന്നെ പറയാം. ഭൂമികി

ട്ടിയിട്ടുള്ളവക്ക് ആ വിധത്തിൽ സങ്കടം ഉണ്ടാകുന്നില്ല. അടകുടിക്കാരും അടകുടികളിൽനിന്നും ബഹിഷ്കൃതരുമായ അനവധി ആളുകൾ ഓരോ തരത്തിൽ വിഷമതകളും ബുദ്ധിമുട്ടുകളും അനുഭവിച്ചു വരുന്നുണ്ട്. സർ, എത്രയോ പ്രാവശ്യം ഈ വസ്തുത ഗവൺമെൻറിൻേറയും ഈ സഭയുടേയും ശ്രദ്ധക്കു വിഷയമാക്കിയിട്ടുള്ളതാകുന്നു. എങ്കിലും ആ അവസരങ്ങളിലൊക്കയും കൺസർവേറററും റവന്യൂ അധികാരികളും ഓരോ പ്രതികൂലാഭിപ്രായങ്ങളാണ് പറഞ്ഞിട്ടുള്ളതു്. ഈ പ്രാവശ്യവും അനുഭവം അതു തന്നെ ആയിരിക്കയില്ലേ എന്നു സംശയമില്ലാതില്ല. ജനങ്ങളുടെ പരാധീനത ഉദ്യോഗസ്ഥന്മാർ ശരിയായി ഗ്രഹിക്കുന്നില്ല. അറിഞ്ഞിരുന്നാൽ തന്നേയും അവർ അതിൽ അശ്രദ്ധരായിട്ടാണ് കാണുന്നതു്. രാജ്യരക്ഷയെ മുൻനിറുത്തി പറയുകയാണെന്ന് അവർ സമാധാനം നൽകും. ജനസംഖ്യയുടെ വർദ്ധനവും ജീവിതസൗകര്യക്കുറവും മററും ശരിയായി പരിഗണിച്ച് ഈ വിഷയത്തിൽ ഗവൺമെൻറു വേണ്ടതു ചെയ്യാൻ പ്രത്യേകം ശ്രദ്ധിക്കാതിരിക്കുന്നതു വളരെ കഷ്ടമാണ്. അവശജനങ്ങളുടെ ഇന്നത്തെ നില വളരെ പരുങ്ങലിലാണ്. ഹിന്ദുവിനു ക്രിസ്ത്യാനിയും ക്രിസ്ത്യാനിക്കു ഹിന്ദുവും വേലയും കൂലിയും താമസസൗകര്യവും നൽകാതിരിക്കുന്ന ഒരു സന്ദർഭമാണിതു്. ഇങ്ങനെയുള്ള വിഷമഘട്ടങ്ങൾ ഗവൺമെൻറു സദയം അറിഞ്ഞേ തീരൂ. പത്തനംതിട്ട, വടശ്ശേരിക്കര, റാന്നി, മുതലായ സ്ഥലങ്ങളിലും ചങ്ങനാശേരി, തൊടുപുഴ മൂവാററുപുഴ മുതലായ താലൂക്കുകളുടെ കിഴക്കൻ ഭാഗങ്ങളിലും അധികവും തേയിലത്തോട്ടങ്ങളും റബ്ബർ തോട്ടങ്ങളും ഏലത്തോട്ടങ്ങളും ആണല്ലൊ. ഈ തോട്ടങ്ങളിൽ വേലചെയ്തും അടകുടി താമസിച്ചും കഴിഞ്ഞുവന്നിരുന്നവരായ ഒരു വലിയ സംഘം ആളുകളെ അവരുടെ മതവിശ്വാസത്തേയും ആചാരത്തേയും പരിഗണിച്ച് അതാതു തോട്ടങ്ങളുടെ ഉടമസ്ഥന്മാർ ഇറക്കിവിടുന്നു. ആ സാധുക്കളുടെ അവസ്ഥ വളരെ കഷ്ടതരമല്ലയൊ? അവരിൽ കുറെ ആളുകൾ എരുമേലി, പുറപ്പോസ്, വെൺകുറിഞ്ഞി മുതലായ സ്ഥലങ്ങളിൽനിന്നും ഇവിടെ എത്തിയിട്ടുണ്ട്. അവർ ഗവൺമെൻറിൻെറ കാരുണ്യത്തെ ആശ്രയിച്ച് വന്നിട്ടുള്ളവരാകുന്നു. ഈ വിധത്തിൽ വിഷമിക്കുന്ന ആ സാധു ജനങ്ങൾക്കു ഗവൺമെൻറിൽനിന്നും കഴിയുന്നതും വേഗത്തിൽ ആശ്രയം നൽകാതിരുന്നാലത്തെ അവസ്ഥ എന്തായിരിക്കും? അനവധി ആളുകൾ ഇപ്പോൾ സ്വന്തം ഭൂമിയില്ലാതെ ദുഃഖിതരാകുന്നു എന്നുള്ള വസ്തുത ഗവൺമെൻറു നേരിട്ടറിയേണ്ടതാണ്. സർ, ഗവൺമെൻറിൻെറ ആനുകൂല്യം ജനങ്ങളുടെ രക്ഷയ്ക്കു സഹായമാ

[Mr. T. T. Kesavan Sastri.]

കുന്നു. മിക്കവാറും മൂന്നു ഭാഗങ്ങളും പതിച്ചു നൽകിയിട്ടുള്ളതും ആദായങ്ങളില്ലാത്തതുമായ കുട്ടിവനങ്ങൾ നമ്മുടെ രാജ്യത്തു ദൈവാധീനത്താൽ ഇനിയും കുറവില്ല. തൊടുപുഴ, മൂവാററുപുഴ എന്നീ താലൂക്കുകളിലും ചങ്ങനാശേരി, തിരുവല്ലാ, പത്തനംതിട്ട, പത്തനാപുരം, നെടുമങ്ങാട് നെയ്യാററിൻകര, വിളവൻകോട് എന്നീ താലൂക്കുകളിലും ഉള്ള പച്ച കുട്ടിവനങ്ങളും എനിക്കു നേരിട്ടു കാണാനും വിവരങ്ങളറിയാനും കഴിഞ്ഞിട്ടുണ്ട്. ഇതിൽ മിക്കവാറും സ്ഥലങ്ങൾ വെറും നാമമാത്രം റിസർവുകളാണ്. പതിച്ചു നൽകുന്നതായാൽ ജനങ്ങൾക്കും സർക്കാരിനും ഉപകാരമായിരിക്കും. ചങ്ങനാശേരി താലൂക്കിൽ ചേർന്ന മുണ്ടക്കയത്തുള്ള കാളവനവും പത്തനംതിട്ട താലൂക്കിൽ ചേർന്ന റാന്നി വലിയകാവും, കരികുളവും അരിക്കകാവും വെൺകുറിഞ്ഞി മുതലായ സ്ഥലങ്ങളും പത്തനാപുരം താലൂക്കിൽ കുരിയോട്ട റിസർവും മിക്കവാറും മൂന്നും ചിലതു നാലുവശവും പതിച്ചു നൽകിയിട്ടുള്ളതായി കാണാവുന്നതാണ്. അവശേഷിച്ചിട്ടുള്ള സ്ഥലങ്ങൾകൂടി ഒഴിച്ച് പതിച്ചു നൽകുന്നതുകൊണ്ടു ഒരു ദോഷവും വരാനിടയില്ല കാർമേഘത്തെ തടഞ്ഞു നിറുത്തി മഴ പെയ്യിക്കാൻ പർവ്വതനിരകൾ കിഴക്കു ധാരാളമുണ്ട്. രാജകീയ വൃക്ഷങ്ങളൊ മററു ആദായങ്ങളൊ കാര്യമായി മേല്പറഞ്ഞ സ്ഥലങ്ങളിൽനിന്നും ലഭിക്കാനില്ല. ഗവണ്മെൻറു ഈ കാര്യങ്ങളിൽ ദയവായി ഗൗനിക്കുമെന്നു വിശ്വസിക്കയും ഡിപ്പാർട്ടുമെൻറു മേലധികാരികളുടെ ദാക്ഷിണ്യമുണ്ടാകാൻ അപേക്ഷിക്കയും ചെയ്തുകൊണ്ട് നിറുത്തുന്നു.

സർ, പ്രമേയത്തിൻെറ തത്വത്തെ പരമാർശിച്ചുകൊണ്ടു ഇത്രയും കാര്യങ്ങൾ ഗവണ്മെൻറിൻെറയും ഈ സഭയുടേയും ശ്രദ്ധക്കു വിഷയമാക്കിയിട്ടുള്ളതാകുന്നു. പൊതുജനങ്ങളുടെ ആവശ്യത്തിന് ഈ പ്രസ്താവന എത്രയും വേഗത്തിൽ പ്രയോജനപ്പെട്ടു കാണ്മാൻ എനിക്കു ആഗ്രഹമുണ്ട്. ഏലകൃഷിക്കാർക്കു സ്ഥലം കൊടുക്കരുതെന്നോ അങ്ങിനെ സ്ഥലം കൊടുക്കുന്നതിൽ ഞാൻ വിപരീതാഭിപ്രായക്കാരനാകണമെന്നൊ, ഇത്രയും കാര്യം പറഞ്ഞിട്ടുള്ളതിൽനിന്നും ഊഹിക്കാനിടയില്ലല്ലൊ. പാവങ്ങളുടെ കാര്യത്തിനു മുൻഗണന വേണമെന്നേ നിർബന്ധിച്ചിട്ടുള്ളു.

MR. N. JOHN JOSEPH (*Nominated*) : സർ, ബഹുമാനപ്പെട്ട മെമ്പർ കൊച്ചുകോരത്തരകൻ അവർകൾ അവതരിപ്പിച്ചിരിക്കുന്ന ഈ റസലൂഷൻെറ തത്വത്തെ ഞാൻ അംഗീകരിക്കുന്നു. ഏലകൃഷിക്കു കൂടുതൽ ഭൂമി പതിച്ചു കൊടുക്കണമെന്നുള്ള റസലൂഷനാണ് ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്നത്. ഹിന്ദുക്കളും ക്രിസ്ത്യാനികളുമായ പ്രബലസമുദായക്കാർ കൂട്

തൽ ഭൂമി പതിച്ചു കൊടുക്കണമെന്നു ആവശ്യപ്പെടുന്നതു അവൎക്കു കുടിപാൎപ്പിനൊ ചത്താൽ കുഴിച്ചിടുന്നതിനൊ കൃഷിക്കൊ ഭൂമി ഇല്ലാഞ്ഞിട്ടല്ല, നേരെ മറിച്ചു വസ്തുവിന്മേൽ വസ്തു വൎദ്ധിപ്പിക്കുന്നതിനും ധനത്തിന്മേൽ ധനം ആൎജ്ജിക്കുന്നതിനുമായിട്ടാണ്. കുടിപാൎപ്പിനൊ ചത്താൽ കുഴിച്ചിടുന്നതിനൊ തങ്ങളുടെ വിശപ്പടക്കാൻവേണ്ടി എങ്കിലും ഭൂമി ഇല്ലാത്തവരാണു ഇവിടത്തെ ക്രിസ്ത്യാനികളും ഹിന്തുക്കളുമായ അവശവൎഗ്ഗക്കാർ അവൎക്കു ഭൂമി പതിച്ചു കൊടുക്കയും ദാരിദ്ര്യക്കുണ്ടിൽനിന്നു അവരെ കരകയററുകയും ചെയ്യുന്ന വിഷയത്തിലാണ് ഗവൎമ്മെൻറു പ്രത്യേകം ശ്രദ്ധ പതിക്കേണ്ടതു്. അതു ഇവിടെ ചെയ്തുകാണുന്നില്ല. പതിച്ചുകൊടുക്കുന്നതിനു നീക്കിവെയ്ക്കുന്ന ഭൂമികളിൽ ഇരുപതു ശതമാനം, ഭൂമി ഇല്ലാത്ത വൎഗ്ഗക്കാൎക്കായി നീക്കിവെച്ചു സൌജന്യനിരക്കിൽ അവൎക്കു പതിച്ചുകൊടുക്കണമെന്നു റിട്ടയൎഡ് ദിവാൻജി ദിവാൻബഹദൂർ വി. എസ്സ്. സുബ്രഹ്മണ്യയ്യർ അവൎകളുടെ ഗവൎമ്മെൻറു തീരുമാനിച്ചിരുന്നു. ആ കല്പന പേഷ്കാരന്മാരും, തഹശീൽദാരന്മാരും മറന്നുപോയി എന്നാണ് തോന്നുന്നതു്. ഈ രാജ്യത്തെ സവൎണ്ണ ക്രിസ്ത്യാനികളും ഹിന്തുക്കളും ഭൂമിയില്ലാത്ത അവശസമുദായക്കാരുടെ പേരിൽ ഭൂമി പതിച്ചുകൊടുക്കുന്നതിൽ എപ്പോഴും എതിരുനിന്നുകൊണ്ടാണ് വരുന്നതു്, റവന്യൂ ഡിപ്പാൎട്ടുമെൻറിലെ പാൎവ്വത്യക്കാർ മുതലായ കീഴ് സിൽബന്ധികൾ അവശസമുദായക്കാരുടെ ഭൂമി പതിവുവിഷയത്തിൽ കാട്ടിക്കൂട്ടുന്ന ക്രൂരതകളും നീതികേടും സഹിക്കാവുന്നതിൽ കൂടുതലാണ്. പാൎവ്വത്യക്കാരന്മാർ വ്യാജമായി നിൎമ്മിക്കുന്ന റിപ്പോൎട്ടുകളും മഹസ്സറുകളും ലാൻഡ് റവന്യൂ കമ്മീഷണർ മുതലായ വലിയ ഉദ്യോഗസ്ഥന്മാൎക്കു ഒരു തരത്തിലും മാററുവാനും കണ്ടുപിടിക്കാനും കഴിയാത്തവിധത്തിൽ അതിസാമൎത്ഥ്യത്തോടുകൂടെയാണ്. അവർ അത്രയ്ക്കുമേൽ തന്ത്രജ്ഞന്മാരും മിടുക്കന്മാരുമാണ്. തന്നിമിത്തം ലാൻഡ് റവന്യൂകമ്മീഷണരും മററും കുടുങ്ങി അവശരെ സംബന്ധിച്ചു നീതികേടു പ്രവൎത്തിപ്പാൻ പ്രേരിതരായി തീൎന്നുപോകുന്നുണ്ടു്. പത്തും പതിനഞ്ചും വൎഷങ്ങളായി കൈവശം വെച്ചനുഭവിച്ചും വീടുകൾ കെട്ടി കുടിപാൎത്തും ഗണ്യമായി ദേഹണ്ഡങ്ങൾ ഉറപ്പിച്ചും വന്നിട്ടുള്ള അവശവൎഗ്ഗ ക്രിസ്ത്യാനികളെയും ഹിന്തുക്കളെയും കണ്ണീരും കയ്യുമായി ഇറക്കി വിടുന്ന നയം ഇപ്പോഴും പ്രയോഗത്തിൽ ഇരിക്കുന്നുണ്ടു്. അങ്ങിനെയുള്ള സ്ഥലങ്ങൾ കമ്മീഷണർ അവൎകൾ നേരിട്ടു പരിശോധിച്ചെങ്കിൽ മാത്രമെ പാൎവ്വത്യകാരന്മാരുടെ വ്യാജ പ്രവൃത്തികൾ കണ്ടുപിടിക്കുന്നതിനും നീതി നടത്തുന്നതിനും സാധിക്കയുള്ളു. അങ്ങി

[Mr. N. John Joseph.]

നെയുള്ള സ്ഥലങ്ങൾ പരിശോധിക്കുന്നതിനു വഴിദുർഘടമുള്ളതായി തോന്നുന്നപക്ഷം ഞങ്ങൾ കമ്മീഷണറെ മേനാവിൽ ഇരുത്തി എടുത്തുകൊണ്ടുപോയി എങ്കിലും ബോദ്ധ്യപ്പെടുത്തിക്കൊടുക്കാം. കുന്നത്തൂർ താലൂക്കിൽ ഏനാത്തിമംഗലം പകുതിയിൽ ഏഴംകുളം മുറിയിൽ സർവ്വെ 783/21-ൽ 15 വർഷങ്ങളായി കുടിപാർത്തുവരുന്ന ഏതാനും അവശരെ അവിടെനിന്നും ആട്ടിപ്പായിക്കുന്നതിനു മുഹമ്മദീയരും സുറിയാനിക്കാരുമായ ഏതാനും പ്രബലന്മാർ ശ്രമിച്ചുവരുന്ന വിവരം കമ്മീഷണരുടെ ശ്രദ്ധയിൽ ഞാൻ കൊണ്ടുവരുന്നു. പോലീസുകമ്മീഷണർ അവർകൾക്കു വിവരം കാണിച്ചു എഴുതിയ ഒരു ഹർജി എന്റെ പോക്കററിൽ കിടക്കുന്നു. അദ്ദേഹത്തെക്കണ്ടും ഇല്ല. ആ സാധുക്കൾ ഈ ബാൾക്കനിയിൽ ഇപ്പോൾ ഇരിപ്പുണ്ട്.

DEPUTY PRESIDENT: I have been following the trend of the honourable member's speech. He has been making very general observations. Let him confine his observations to the resolution under discussion.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I wish to know which resolution is now under discussion.

DEPUTY PRESIDENT: Resolution No. 4.

MR. PUTHUPALLI S. KRISHNA PILLAI: But then, Sir, resolution No. 5 has been allowed to be withdrawn.

DEPUTY PRESIDENT: Mr. Kochukora Tharakan has been allowed to move resolution No. 4. He referred to cardamom cultivation and all that.

What has Mr. Tharkan to say?

MR. K. P. KOCHUKORA THARAKAN: ഞാൻ റസല്യൂഷൻ നമ്പർ നാലാണ് അവതരിപ്പിച്ചത്. അതായത് ഏലകൃഷിക്കു റിസർവ്വിൽനിന്നും സ്ഥലം പതിച്ചുകൊടുക്കണമെന്നുള്ള പ്രമേയം.

MR. M. RAMACHANDRA RAO: Sir, Resolution No. 4 deals with cardamom cultivation, but members speaking on the resolution put forward the claim that lands should be distributed for cultivation just as appointments in the public service.

DEPUTY PRESIDENT: That is exactly what I pointed out to the honourable member.

MR. N. JOHN JOSEPH: പ്രമേയത്തിന്റെ മൂലതത്വത്തോടു യോജിച്ചുകൊണ്ട് അവശസമുദായങ്ങളുടെ അവശതയെപ്പററി പറയുകയാണ്.

ഈ കാര്യത്തിൽ കമ്മീഷണർ അവർകൾ വേണ്ടതു ചെയ്യണമെന്നപേക്ഷിക്കുന്നു. മൂവാററുപുഴ തൊടുപുഴ മുതലായ താലൂക്കുകളിൽ ഏ

താനും സ്ഥലം അവശക്കു പതിച്ചുകൊടുക്കുന്നതിനായി ഏതാനും പാവങ്ങൾ വന്നിട്ടുണ്ട്. ഈ താലൂക്കുകളിൽ അവശക്കു സൌജന്യനിരക്കിൽ പതിച്ചുകൊടുക്കുന്നതിനു തിരിച്ചിട്ട സ്ഥലങ്ങളിൽ പ്രബലസമുദായക്കാർ പ്രവേശിച്ചുകഴിഞ്ഞു. അവശക്കു എത്രതന്നെ അപേക്ഷിച്ചിട്ടും പ്രവേശനം അനുവദിച്ചിട്ടുമില്ല. മേൽപ്പറഞ്ഞ സ്ഥലങ്ങളിൽനിന്നു പ്രബലസമുദായക്കാരെ ഒഴിച്ചു അവശക്കു പതിച്ചുകൊടുക്കണമെന്നപേക്ഷിക്കുന്നു. മന്നാംകണ്ടത്തിൽ അവശക്കുവേണ്ടി തിരിച്ചിട്ട സ്ഥലത്തും പ്രബലസമുദായക്കാർ പ്രവേശിച്ചുകഴിഞ്ഞു. ആ സ്ഥലത്തുനിന്നും അവരെ ഒഴിച്ച് അവശക്കു പ്രവേശനം അനുവദിക്കണമെന്നപേക്ഷിക്കുന്നു. ചങ്ങനാശേരി, തിരുവല്ലാ, പത്തനംതിട്ട എന്നീ താലൂക്കുകളുടെ കിഴക്കൻഭാഗങ്ങളിൽ ഏതാനും ഭൂമികൾ പതിച്ചു കൊടുക്കണമെന്നു പല വർഷങ്ങളായി അവശർ അപേക്ഷകൾ ബോധിപ്പിച്ചു കൊണ്ടിരിക്കയാണ്. ഗവമ്മെൻറു ഈ അപേക്ഷകളെ ഇതേവരെ ഗൌനിച്ചിട്ടില്ല. ഈ സ്ഥലങ്ങളെ സംബന്ധിച്ചുള്ള അപേക്ഷകൾ ദയവായി ചിന്തിച്ചു അവശക്കു പതിച്ചുകൊടുക്കുന്ന കാര്യത്തിൽ ശ്രദ്ധ പതിക്കണമെന്നു അപേക്ഷിക്കുന്നു. കന്നുകാലിവനങ്ങളായും കുട്ടിവനങ്ങളായും വളരെ ഏക്കർ ഭൂമികൾ പല താലൂക്കുകളിലും പ്രയോജനമില്ലാതെ കിടപ്പുണ്ട്. ആ വക സ്ഥലങ്ങൾ തരിശിനങ്ങളിൽ നിന്ന് മാററി ഭൂമിയില്ലാത്ത വർഗ്ഗക്കാക്കായി പതിച്ചുകൊടുക്കണം. ഒരു സെൻറുഭൂമിപോലും ഇങ്ങിനെയുള്ള സ്ഥലങ്ങളിൽ പതിച്ചുകൊടുക്കുന്നതല്ലെന്നു കമ്മീഷണർ ഒരിക്കൽ പറഞ്ഞതായി ഞാൻ ഓക്കുന്നു. അതു ജീവകാരുണ്യമല്ല. കന്നുകാലിമേച്ചിലിനു ആവശ്യമില്ലാത്ത ഇടങ്ങളിൽ പല സ്ഥലത്തും ഇങ്ങിനെ ഭൂമി തിരിച്ചിട്ടിട്ടുണ്ട്. ആ സ്ഥലങ്ങളെ സംബന്ധിച്ചു കമ്മീഷണർ ഗവർമ്മെൻറിലേക്കു റിപ്പോർട്ടുകൊടുത്തു. തരിശിനത്തിൽ മാററിച്ചു അവശരുടെ പേരിൽ പതിച്ചു കൊടുക്കണം. ഒരു ലക്ഷം രൂപാ കെട്ടിയിരിപ്പുള്ളവനും 10 സെൻറു ഭൂമി ഉള്ളവനുംകൂടി നോക്കിയാൽ 10 സെൻറു ഭൂമിയുള്ളവ ധനവാൻ എന്നുവേണം വിചാരിപ്പാൻ. അതിനാൽ ഭൂമിയില്ലാത്ത അവശക്കു അവരുടെ പേരിൽ ഭൂമി പതിച്ചുകൊടുത്തു അവരെ സഹായിക്കയും അവരെ പൌരന്മാരാക്കിത്തീക്കയും ചെയ്യണമെന്നപേക്ഷിച്ചുകൊണ്ടു റസല്യൂഷനിലെ തത്വത്തോടു ഞാൻ യോജിക്കുന്നു.

MR. KAVIYOOR K. K. KOCHUKUNJU: സർ, ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിച്ചുകൊണ്ടു ബഹുമാനപ്പെട്ട ഗവർമ്മെൻറിൻെറ വിലയേറിയ ശ്രദ്ധയ്ക്കു ഒന്നു രണ്ടു സംഗതികൾ പ്രസ്താവിച്ചുകൊള്ളട്ടെ.

[Mr. Kaviyoor K. K. Kochukunju].

ഭൂസ്വത്തില്ലാത്ത സാധുജനങ്ങൾക്ക് ഭൂസ്വത്ത് ഉണ്ടാക്കി സംരക്ഷിക്കണമെന്നുള്ളതാണ് ബഹുമാനപ്പെട്ട ഗവർമ്മെന്റിന്റെ ഉദ്ദേശമെങ്കിൽ സൌജന്യ പതുവൽ പതിവിനു അർഹതയുള്ളവരായി ന്യൂനപക്ഷക്കാരായ ഹിന്ദുക്കളും ക്രിസ്ത്യാനികളുമായിട്ടുള്ള ഒട്ടനവധി ജനങ്ങൾ ഈ സംസ്ഥാനത്തുണ്ട്. അവരെക്കൂടി ഈ സൌജന്യപ്പതുവൽ വ്യവസ്ഥയിൽ ഉൾപ്പെടുത്തി സഹായിക്കുന്നു എങ്കിൽ മാത്രമേ ഗവർമ്മെന്റിന്റെ സദുദ്ദേശം സംപൂർണ്ണാവസ്ഥയിൽ എത്തിക്കാണുവാൻ സാധിക്കയുള്ളൂ. ഇപ്പോൾ സൌജന്യപ്പതുവൽ പട്ടികയിൽ ചുരുക്കം ചില സമുദായങ്ങൾ മാത്രമേ ഉൾപ്പെട്ടിട്ടുള്ളൂ. ഇപ്പോൾ പട്ടികയിൽ ഉൾപ്പെട്ടിട്ടുള്ള സമുദായങ്ങളേക്കാൾ ഭൂസ്വത്തിന്റെ കാര്യത്തിൽ വളരെ വിഷമം അനുഭവിക്കുന്ന സമുദായങ്ങളിൽ ഒന്നാണ് ഞാൻ ഉൾപ്പെട്ട വർണ്ണവസമുദായം. ഈ സാധു സമുദായത്തെക്കൂടി പ്രസ്തുത പട്ടികയിൽ ഉൾപ്പെടുത്തി ഈ സമുദായത്തിനു ഭൂസ്വത്തുടമസ്ഥതയിൽ നേരിട്ടിരിക്കുന്ന അവശത പരിഹരിക്കുവാൻ ദയവുണ്ടാകണമെന്ന് ബഹുമാനപ്പെട്ട ഗവർമ്മെന്റിനോട് അപേക്ഷിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. M. RAMACHANDRA RAO : Sir, the main resolution deals with only lands for cardamom cultivation in the Kottayam Division. I shall deal with the subject matter of the resolution first. About 3 years back lands in the Pallivassal pakuthy were allotted for registry. It was anticipated then that about 10,000 acres will be available for registry for cardamom cultivation. But only up to 4,000 acres have been registered till now. There are even now extensive lands in Pallivassal pakuthy fit for cardamom cultivation. Government have leased out about 1350 acres from the forest reserve in the Muvattupuzha — Thodupuzha Taluks for cardamom cultivation Recently Government have sanctioned another 1,000 acres from the same area to be leased out to applicants at Rs. 4 per acre. There are more lands available for cultivation in the Pallivassal pakuthy than in any other pakuthies. But lands fit for cardamom cultivation lies a little away from roads. It is for the applicants to select lands and approach Government for the construction of roads to their estates.

MR. K P. KOCHUKORA THARAKAN: കൃഷിക്കായി പതിച്ചുകൊടുത്ത സ്ഥലങ്ങളെല്ലാം പാറക്കെട്ടുകളോടുകൂടിയവയാണെന്നുള്ള വിവരം അറിയാമോ?

MR. M RAMACHANDRA RAO : എല്ലാം സ്ഥലത്തും പാറക്കെട്ടുകളില്ല.

Cardamom only grows in high areas with dense forest tracts. There are still large tracts available there.

DEPUTY PRESIDENT: What is the extent available now?

MR. M. RAMACHANDRA RAO: Not less than 3 to 4 thousand acres. The difficulty with these applicants is that they want lands near the roads. Such lands have already been disposed of. There are very few applicants for lands in higher elevations, away from roads. If applicants come for places in higher elevations and away from the roads, I am sure Government will do their best to help them to construct approach roads to those areas.

SAHIB BAHADUR P. S MUHAMED: പള്ളിവാസൽ ഏരിയായിൽ അല്ലാതെ വേറെ സ്ഥലം ഉണ്ടെങ്കിൽ അതു പതിച്ചുകൊടുക്കുന്നതിനു വിരോധമുണ്ടോ?

MR. M. RAMACHANDRA RAO: ഒരു ഏരിയായിലുള്ള സ്ഥലം മുഴുവൻ പതിച്ചുകൊടുത്തതിനുശേഷംമാത്രമേ മറെറാരു ഏരിയായിലുള്ള സ്ഥലം പതിച്ചുകൊടുക്കുകയുള്ളു.

MR. K. P. KOCHUKORA THARAKAN: പത്തേക്കർ ഉള്ള ഒരു ബ്ളാക്ക് എടുക്കുകയാണെങ്കിൽ പാറക്കെട്ടില്ലാതെ അതിനകത്തു് എത്ര സ്ഥലം കാണും?

MR. M. RAMACHANDRA RAO: That Sir, is to be surveyed and reported upon. Generally, before applying, the applicants go and see the lands. If they apply for cardamom lands the rocky and other portions unfit for cardamom cultivation are usally excluded from the registry. I don't think even 500 acres are available yet in the Thodupuzha—Muvattupuzha forest reserve. It is for the Conservator to advise Government about the advisability of throwing open the reserves for registry. But I can assure the honourable members that applications for lands for cardamom cultivation in the Pallivassal pakuthy will be favourably considered.

Sir, two or three honourable members spoke of registering lands on communal representation basis. Government have already made rules regarding the registry of lands for members of the backward communities and in each taluk areas have been allotted. But they go and encroach on reserve forests, tank beds and cattle grazing grounds and say that they want those places. This cannot be encouraged.

MR. N. JOHN JOSEPH: ഗവമ്മെൻറിൽനിന്നും എന്തു നിയമം ഉണ്ടാക്കിയാലും അവശസമുദായാംഗങ്ങൾക്കു വേണ്ട രക്ഷ ചെയ്യേണ്ടതു് ഡിപ്പാർട്ടുമെൻറു മേധാവികളല്ലേ?

MR. M. RAMACHANDRA RAO: ഏതായാലും ഒഴിച്ചിടപ്പെട്ട സ്ഥലത്തുനിന്നും ഒരിഞ്ചു് സ്ഥലംപോലും കൊടുക്കാൻ സാധിക്കുകയില്ല.

MR. N. JOHN JOSEPH : ഭൂമി പതിച്ചുകൊടുക്കുന്നതിനല്ലാതെ ലാൻഡ് റവന്യൂ കമ്മീഷണർക്കു വേറെ എന്തെങ്കിലും ചെയ്യാൻ അധികാരമുണ്ടോ?

MR. M. RAMACHANDRA RAO : ഉണ്ട്.

MR. M. RAMACHANDRA RAO : In North Travancore, in the time of my predecessor and during my period many tracts were encroached upon without authorisation, but we recommended to Government to register those lands in favour of the holders. And blocks after blocks have thus been registered. But, at present lands are not available to that extent in south and central Travancore for registry. The question of registry of lands for backward classes will receive ympathetic consideration if they apply for lands set apart for them or if lands are available for registry. I may assure the House that the policy of the Government in the matter of allotting lands for cultivation from the reserve forest will be liberal as it has hitherto been. Recently, over 1,000 acres were allotted for paddy cultivation in Mannankandom.

MR. N. JOHN JOSEPH ; മന്നാംകണ്ടത്തിൽ അവശസമുദായക്കാർക്കു പതിച്ചുകൊടുക്കുന്നതിനായി തിരിച്ചുവച്ചിട്ടുള്ള ഭൂമികൾ മററു സമുദായക്കാർ കരസ്ഥമാക്കി എന്നുള്ള വിവരം അറിയാമോ?

MR. M. RAMACHANDRA RAO : പണം കൊടുക്കാതെ ആർക്കും വെറുതെ ഭൂമി പതിച്ചുകൊടുക്കാൻ സാധിക്കുകയില്ല.

MR. N. JOHN JOSEPH : അധഃകൃതർക്കു പതിച്ചുകൊടുക്കുന്നതിനായി തിരിച്ചിട്ടുള്ള ഭൂമികളിൽ ഇതര സമുദായക്കാർ പ്രവേശിച്ചിട്ടുള്ളതായി അറിയാമോ?

MR. M. RAMACHANDRA RAO : അങ്ങിനെയുള്ള സ്ഥലങ്ങൾ അവരിൽനിന്നും ഒഴിച്ചുകൊടുക്കുന്നതാണ്. അങ്ങനെ കൊടുത്തിട്ടുമുണ്ട്.

MR. T. T. KESAVAN SASTRI: മന്നാംകണ്ടത്തിൽ ഒഴിച്ചിട്ടിട്ടുള്ള സ്ഥലം പതിച്ചുകൊടുക്കുന്നതിനു അനുവദിക്കാതിരിക്കുന്നതു ശരിയാണോ?

MR. M. RAMACHANDRA RAO : അധഃകൃതർക്കു സ്ഥലം പതിച്ചുകൊടുത്തിട്ടുണ്ട്.

MR. K. P. KOCHUKORA THARAKAN : എത്ര മൈൽ ദൂരംവരെയുള്ള സ്ഥലങ്ങളിൽ ഏലകൃഷി നടത്തിവരുന്നു എന്നറിയാമോ?

MR. M. RAMACHANDRA RAO : കൃത്യമായി അറിയാൻപാടില്ല.

MR. K. P. KOCHUKORA THARAKAN : പള്ളിവാസൽ പകുതിയിൽ എട്ടു പത്തു മൈൽ ദൂരംവരെ ഏലകൃഷി നടത്തുന്നു എന്നുള്ള വിവരം അറിയാമോ?

MR. M. RAMACHANDRA RAO : എട്ടു പത്തു മൈൽ ദൂരം ഇല്ല. മൂന്നോ മൂന്നരയോ മൈൽ ദൂരംവരെ ഏലക്കൃഷി നടത്തുന്നുണ്ട്.

MR. T. C. KESAVA PILLAI : തെക്കൻതിരുവിതാംകൂറിൽ ലാൻഡ് കാളനൈസേഷൻ സ്കീം അനുസരിച്ച് തിരിച്ചിട്ടുള്ള ഏതെങ്കിലും സ്ഥലം പതിച്ചുകൊടുത്തിട്ടുണ്ടോ?

MR. M. RAMACHANDRA RAO: I think the Conservator of Forests should inform the honourable member about that.

MR. T. C. KESAVA PILLAI : ആ സ്ഥലങ്ങൾ പതിച്ചു കൊടുക്കാമോ?

MR. M. RAMACHANDRA RAO: The matter will be considered.

MR. K. P. KOCHUKORA THARAKAN : അപേക്ഷകന്മാർ കൊടുത്തിട്ടുള്ള പല അപേക്ഷകളും പെൻഡിംഗ് ആയി കിടപ്പുള്ളതായി അറിയാമോ ?

MR. M. RAMACHANDRA RAO: The difficulty is this. They apply for 50 acres, and when asked to show where the 50 acres lie, they show X's land or Y's land. When the surveyor goes to the spot and asks the party where his choice lies, this has been found to be invariably the case. There are lands available for registry and they can make applications for these lands.

MR. K. R. NARAYANAN (*Vaikum* cum *Kottayam*) ഏലക്കൃഷിക്കായി പണം അടച്ചു സ്ഥലം പതിച്ചു കിട്ടണമെന്നപേക്ഷിച്ചിട്ട് സ്ഥലം കിട്ടാത്തതുകൊണ്ട് അടച്ച പണം തിരിച്ചു വാങ്ങിച്ചിട്ടുള്ളതായി അറിയാമോ?

MR. M. RAMACHANDRA RAO: അങ്ങിനെ ഉണ്ടായിരിക്കാം.

MR K. P. KOCHUKORA THARAKAN : പള്ളിവാസൽ പകുതിയിൽ എത്രമൈൽ സ്ഥലം പതിച്ചു കിട്ടണമെന്നപേക്ഷിച്ചിട്ടുണ്ട്?

MR. M. RAMACHANDRA RAO : അതിനെപ്പററി നിശ്ചയമില്ല. പക്ഷെ റിസർവ് റിക്കാർഡ് അനുസരിച്ച് ആയിരത്തിനൂററി അൻപതേക്കർ സ്ഥലം അവിടെയുണ്ട്. അതിൽ തൊള്ളായിരത്തി ഇരുപതേഴേക്കർ സ്ഥലം ഗവണ്മെൻറിൽനിന്നും അളന്നിട്ടുണ്ട്. ബാക്കി അഞ്ചൂറ് ഏക്കർ വരികയില്ലെന്നാണു പറയുന്നത്.

MR. K. R. NARAYANAN : അതു തൊടുപുഴ താലൂക്കിലല്ലേ ?

MR. M. RAMACHANDRA RAO : അതേ.

MR. K. P. KOCHUKORA THARAKAN : അവിടെ ഏലക്കൃഷിചെയ്യുന്നവർക്ക സ്ഥിരമായി കെട്ടിടം പണിയിച്ച് താമസിക്കുന്നതിനുള്ള സ്ഥലസൗകര്യമില്ലെന്നുള്ള വിവരം അറിയാമോ?

MR. M. RAMACHANDRA RAO: It is a matter for the Conservator to answer.

MR. T. T. KESAVAN SASTRI: ഏലക്കൃഷി നടത്തുന്നതിനായി എത്ര ഏക്കർ സ്ഥലം പതിച്ചുകൊടുത്തിട്ടുണ്ട്?

MR. M. RAMACHANDRA RAO: ധാരാളംസ്ഥലം പതിച്ചു കൊടുത്തിട്ടുണ്ട്.

MR. K. P. KOCHUKORA THARAKAN: പള്ളിവാസൽ പകുതിയിലുള്ള ഉപയോഗശൂന്യമായ മേട്ടം മലയും മരുഭൂമിയും ഗവണ്മെൻറു ഭൂമിയായി പ്രത്യേകം തിരിച്ചിട്ടിട്ട് അതിനു പകരമായി കോട്ടയം ഡിവിഷനിൽ പെട്ട കുറെ സ്ഥലം പതിച്ചു കൊടുക്കുന്നതിനു ദയവുണ്ടാകുമോ?

MR. M. RAMACHANDRA RAO: I have already answered that question. It is a policy of Government to decide whether they will give on registry lands from the reserve forest.

MR. K. P. KOCHUKORA THARAKAN: ഏലക്കൃഷിക്കായി പതിച്ചു കൊടുത്തിട്ടുള്ള സ്ഥലങ്ങൾ പാറക്കെട്ടുള്ളവയായതുകൊണ്ട് അതിനു പകരമായി പഴയ കോട്ടയം ഡിവിഷൻെറ അതിർത്തിയിലുള്ള സ്ഥലം പതിച്ചുകൊടുക്കാമോ എന്നാണ് അറിയേണ്ടത്?

MR. M. RAMACHANDRA RAO: It is a matter of policy which I cannot answer.

MR. K. R. NARAYANAN: ഇനി അവിടെ സ്ഥലമുണ്ടെങ്കിൽ പതിച്ചുകൊടുക്കുന്നതിനു വിരോധമുണ്ടോ?

MR. M. RAMACHANDRA RAO: അപേക്ഷിച്ചാൽ പതിച്ചുകൊടുക്കുന്നതിനു വിരോധമില്ല.

MR. K. R. NARAYANAN: അവിടെ ഉണ്ടാകാവുന്ന ഉപദ്രവങ്ങൾ മുഴുവൻ സഹിച്ചുകൊള്ളാമെന്നുള്ള കരാറിൽ അപേക്ഷിക്കുന്നതായാൽ പതിച്ചുകൊടുക്കാമോ?

MR. M. RAMACHANDRA RAO: പതിച്ചു കൊടുക്കാൻ തയ്യാറാണ്.

It would be a failure. Sir, in the matter of the registry of lands for cardamom cultivation in Devicolam, the policy of Government has been very liberal and there are still about 3 to 4 thousand acres for cultivation in that Division, while in the Muvattupuzha and Thodupuzha forests there is not even 1000 acres. I would, therefore, ask the honourable members to advise their friends to ask for more lands in Devicolam. I shall also ask the Devicolam Peishkar to render as much help as possible to the people who apply for registry of lands in those places.

I think this would satisfy the mover of the motion and I request Mr. Tharakan not to press his resolution.

DEPUTY PRESIDENT: Before I ask the honourable member to withdraw, I wish to know whether the Conservator of Forests has to offer any remark.

MR. P. RAMAN PILLAI: Sir, my honourable friend who has just sat down has explained in full what the position in regard to the registry of land is. When there are three thousand acres outside the Reserve available for registry for cardamom cultivation, I do not see the necessity for disafforestation of lands from the Reserve. The very fact that this balance remains unregistered will show that there are no applicants forthcoming to take up this land for cultivation. As such, I do not feel the necessity for further disafforestation of any land from the adjacent reserve.

MR. SAHIB BAHADUR P. S. MUHAMED : തൊടുപുഴ മൂവാററുപുഴ മുതലായ താലൂക്കുകളിൽ പതിച്ചു കൊടുക്കാൻ സ്ഥലമില്ലെന്നാണോ പറയുന്നതു്?

MR. P. RAMAN PILLAI : ആ സ്ഥലങ്ങൾ ഇപ്പോൾ സർവെചെയ്തു വരുന്നതേയുള്ളു.

MR. K. P. KOCHUKORA THARAKAN : മൂവായിരം ഏക്കർ സ്ഥലം ഉണ്ടെന്നു പറഞ്ഞതു് ഏതു പകുതിയിലാണു്?

MR. P. RAMAN PILLAI : പള്ളിവാസൽ പകുതിയിലാണു്.

MR. K. P. KOCHUKORA THARAKAN പള്ളിവാസൽ പകുതിയിലുള്ള ഭൂമി ഏലകൃഷിക്കു പററിയതല്ല. അവിടെ പാറക്കെട്ടുകളും മററുമുള്ളതുകൂടാതെ ആന, കരടി, കടുവാ മുതലായ ദുഷ്ടജന്തുക്കളുടെ ഉപദ്രവവും ധാരാളം ഉണ്ടു്. അതുകൊണ്ടു് പാറക്കെട്ടുകളോടുകൂടിയ ഉപയോഗശൂന്യമായ ഈ പ്രദേശങ്ങളെ ഗവമെണ്ടിലേക്കു് തിരിച്ചു വച്ചിട്ടു് ദേവികുളം ഡിവിഷനിൽ ചേർന്നു കിടക്കുന്ന സ്ഥലം ഏലകൃഷിക്കായി തിരിച്ചുകൊടുക്കുന്നതിൽ വിരോധമുണ്ടോ ?

MR. P. RAMAN PILLAI : അവിടെയുള്ള മൂവായിരം ഏക്കർ സ്ഥലവും പാറക്കെട്ടുകളോടുകൂടിയവയാണെന്നു പറയാൻ നിവൃത്തിയില്ല. ഏലകൃഷിക്കു യോജിച്ച സ്ഥലം അവിടെ ധാരാളമുണ്ടു്. ഈ സ്ഥലങ്ങളെ ഒഴിച്ചിട്ടു് അത്രയും സ്ഥലം റിസർവിൽ നിന്നും ഒഴിവാക്കി പതിച്ചു കൊടുക്കുന്നതു് പ്രായോഗികമാണെന്നുതോന്നുന്നില്ല. ആ സ്ഥലങ്ങളെ ഒഴിവാക്കണമെങ്കിൽ ഗവമെണ്ടിലേക്കു റിപ്പോർട്ടു ചെയ്തു മറുപടി വരുത്തേണ്ടിയിരിക്കുന്നു

MR. M. RAMACHANDRA RAO: Sir, a point of information. I may point out for the information of the honourable member that the denser the forests, the better it is for the cultivation of cardamom. It will be the land of elephants, the land of bisons, but the more the elephants the more the bisons, the more the leeches, the better will it be for cardamom cultivation.

MR. K. P. KOCHUKORA THARAKAN : ഈ സ്ഥലത്തിന്റെ സ്ഥിതി എന്താണെന്നും അതിനെപ്പററി അറിയാമോ എന്നും സംശയിക്കേണ്ടിയിരിക്കുന്നു. സ്ഥലം പതിച്ചുകൊടുക്കേണ്ടആവശ്യം വന്നപ്പോൾ

[Mr. K. P. Kochukora Tharakan.]

ലാൻഡ് റവന്യൂ കമ്മീഷണർ സ്ഥലം നോക്കി എന്നു പറയുന്നുണ്ട്. ആ സ്ഥലം പാറക്കെട്ടുകൾ കൊണ്ട് നിറഞ്ഞതാണ്. വൃക്ഷങ്ങൾ പോലും ആ സ്ഥലത്തു ഉണ്ടാവുകയില്ല. അതുകൊണ്ട് ആ സ്ഥലം ഏല കൃഷിക്കു പററിയതാണോ എന്നറിയുന്നതിന് വേണ്ടവിധത്തിൽ അന്വേഷിച്ച് ഒരു റിപ്പോർട്ടു വരുത്തേണം. അങ്ങനെ ചെയ്യാമെന്നു ഒരു അഷ്വറൻസ് തരാതെ എന്റെ റസല്യൂഷൻ പിൻവലിക്കാൻ നിവൃത്തിയില്ല.

MR. M. RAMACHANDRA RAO: Before I recommended to Government the throwing open of the registry of the lands in the Pallivassal pakuthy for cardamom cultivation, I had the land examined by the Executive Engineer and by technical experts who were experienced in the matter of classification of cardamom lands. At that time Mr. Mani, the late Executive Engineer, who himself owned many acres of cardamom lands, along with some others inspected the locality and testified to the fact that about 10,000 acres are available for cardamom cultivation in the area. I can fully assure the honourable member that in the matter of cardamom cultivation, lands which are not fit for the purpose are not at all included in the area registered. Only the forests which are fit for cardamom cultivation are surveyed and reported.

Government are interested in having more cardamom cultivation than there is at present.

MR. T. T. KESAVAN SASTRI : പത്തനംതിട്ട താലൂക്കിൽ റാന്നി പകുതിയിലുള്ള കരംകളം വനം കൺസർവേററർ അവർകൾ സന്ദർശിച്ചിട്ടുണ്ടോ ?

MR. P. RAMAN PILLAI: Yes, sir.

DEPUTY PRESIDENT : Mr. K. P. Kochukora Tharakan, Are you pressing the resolution ?

MR. K. P. KOCHUKORA THARAKAN : എന്റെ മാന്യസ്നേഹിതന്മാരിൽ പലരും ഏലകൃഷിക്കായി പണം കെട്ടിവച്ച് സ്ഥലം പതിച്ചു കിട്ടണമെന്നപേക്ഷിച്ചിട്ട് സ്ഥലം കിട്ടാത്തതിനാൽ കെട്ടിവച്ച പണം തിരിച്ചു വാങ്ങിച്ചിട്ടുള്ളതായി എനിക്കറിയാം. കുന്നത്തുനാട്ട് താലൂക്കിലോ പറവൂർ താലൂക്കിലോ മൂവാററുപുഴ താലൂക്കിലോ ഉള്ള ആളുകൾ അല്ലാ ഇങ്ങനെ ചെയ്തിട്ടുള്ളത്. ചെങ്കോട്ട താലൂക്കിലുള്ള ഒരാൾ കെട്ടിവച്ച പണം തിരിച്ചുവാങ്ങിച്ചിട്ടുണ്ട്. അതുകൊണ്ട് ഏലകൃഷിക്കു പററിയ സ്ഥലം അവിടെയുണ്ടോ എന്നു ഒരു എക്സ്പർട്ട് കമ്മിററിയെക്കൊണ്ട് അന്വേഷിപ്പിച്ചാൽ കൊള്ളാം. ലാൻഡ്‌റവന്യൂ കമ്മീഷണരും ഫാറസ്‌റ്റ് കൺസർവേററും യോജിച്ച് ഇതിനെപ്പററി അന്വേഷിക്കുന്നതു നന്നായിരിക്കും. ഏലകൃഷിക്കു കൊള്ളാവുന്ന സ്ഥലങ്ങൾ ഉണ്ടെങ്കിൽ അവയെ പതിച്ചുകൊടുത്ത് കൃഷിയെ വർദ്ധിപ്പിക്കാനുള്ള സൗകര്യം ചെയ്തുകൊടുക്കണം. സ്ഥലം

പതിച്ചു കിട്ടണമെന്നാവശ്യപ്പെട്ടാൽ ലാൻഡ് റവന്യൂ കമ്മീഷണരും ഫാറസ്റ്റ് കൺസർവേറററും തരാൻ സാധിക്കുകയില്ലെന്നാണുപറയുന്നത്. അതുകൊണ്ട് എന്റെ മോഷനെ ഞാൻ പ്രസ് ചെയ്യുന്നു.

Motion put and carried.

DEPUTY PRESIDENT : Mr. K. P. Kochukora Tharakan.
MR. K. P. KOCHUKORA THARAKAN : Sir, Resolution No. 7
DEPUTY PRESIDENT : You are not moving Resolution No. 6?
MR. K. P. KOCHUKORA THARAKAN : No.

RESOLUTION NO. 7 RE: PADDY CULTIVATION.

MR. K. P. KOCHUKORA THARAKAN : Sir, I beg to move "That this Assembly recommends to Government that steps be taken immediately for cultivating in Travancore itself the paddy required for the consumption of the people here."

പാശ്ചാത്യരാജ്യങ്ങളിൽ ഒരു യുദ്ധത്തിന്റെ പ്രാരംഭമുണ്ടായപ്പോൾ ഇവിടത്തെ ജനങ്ങൾക്ക് അത്യാവശ്യമായ നെല്ലിനും അരിക്കും ക്രമാതീതമായി വില വർദ്ധിക്കുകയാൽ ആ വിഷയത്തിൽ കരുണയോടെ ഗവമ്മെന്റു പ്രവേശിച്ചു ഈ സാധനങ്ങളുടെ വിലയെ നിയന്ത്രണംചെയ്തു എന്നുള്ള സംഗതി എന്നെപ്പോലെ ഇവിടെ കൂടിയിരിക്കുന്ന മാന്യ സ്നേഹിതന്മാൎക്കും അറിയാമെന്നു വിശ്വസിക്കുന്നു. ഈ രാജ്യത്തേക്ക് ആവശ്യമുള്ള നെല്ലും അരിയും മററു ധാന്യങ്ങളും ഇവിടെത്തന്നെ വിളയിക്കണമെന്ന് പറഞ്ഞു സമയം കളയേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. തിരുവിതാംകൂറിൽ അതിനുള്ള സൗകര്യമുണ്ടോ എന്നു മാത്രമേ നോക്കേണ്ടതുള്ളു. അനേകകാലമായി കൃഷിഡിപ്പാർട്ടുമെന്റിൽ നിന്നും പരിഷ്കൃതമായ കൃഷിസമ്പ്രദായങ്ങൾ നടപ്പിലാക്കണമെന്നു പരാതിപറഞ്ഞതിന്റെ ഫലമായി അടുത്തകാലത്ത് പുതിയതരത്തിലുള്ള വളം ശേഖരിക്കുന്നതിനും പുതിയതരത്തിലുള്ള കൃഷിസമ്പ്രദായങ്ങൾ നാട്ടിന്റെ നാനാഭാഗങ്ങളിലും പ്രചരിപ്പിക്കുന്നതിനും ഡയറക്ടർ അവർകളുടെ പ്രത്യേക നിഷ്കർഷയും ശട്ടംകെട്ടലും ഉത്സാഹവുംകൊണ്ട് കൃഷി ഇൻസ്പെക്ടർമാർ ശ്രമിച്ചുവരുന്നു എന്നുള്ള സംഗതി സന്തോഷസമേതം ഇവിടെ അറിയിച്ചുകൊള്ളുന്നു. എന്നാൽ ഈ കൃത്രിമവളംകൊണ്ടും പ്രചരണവേലകൊണ്ടും ഇവിടത്തേക്കു ആവശ്യമുള്ള നെല്ലും അരിയും ഇവിടെ വിളയിക്കാൻ സാധിക്കുകയില്ല എന്നു എനിക്കു ധൈര്യസമേതം പറയാൻസാധിക്കും. അതിലേക്കു ഗവമ്മെന്റിനേയും കൃഷിഡയറക്ടരേയും ഞാൻ വെല്ലു

[Mr. K. P. Kochukora Tharakan.]

വിളിക്കുന്നു. പരിഷ്കൃതമായ കൃഷിസമ്പ്രദായങ്ങൾ ഏർപ്പെടുത്തി ഇവിടത്തെ ഭൂമിയുടെ വളവിനെ വർദ്ധിപ്പിച്ചുകാണിച്ചു ജനങ്ങളെ ബോദ്ധ്യപ്പെടുത്തണം. ജനങ്ങൾ പല കൊല്ലങ്ങളായി ഉപദേശം കേട്ടു പ്രവൃത്തിച്ചു നിരാശയിൽ ആയിക്കഴിഞ്ഞു. ഇനിയും പ്രസംഗത്തിനല്ല പ്രവൃത്തിക്കാണു ഞങ്ങൾ വില കല്പിച്ചിരിക്കുന്നതു എന്നു ഗവൺമെന്റും ഡയറക്ടരും അറിയേണ്ടതാണ്. ഇപ്പോൾ ഗാർഡൻ ലാൻഡായി കിടക്കുന്ന ഒട്ടു വളരെ സ്ഥലങ്ങളെ ജലസേചനംകൊണ്ടു് നല്ലതരത്തിലുള്ള കൃഷിസ്ഥലങ്ങളാക്കണം എന്നു റസലൂഷൻവഴിയായും ചോദ്യങ്ങൾ മുഖേനയും പലപ്പോഴും ഞാൻ അസംബ്ളിയുടെ ദൃഷ്ടിയിൽ കൊണ്ടുവന്നിട്ടുണ്ടു്. പെരിയാററിൽ പല സ്ഥലത്തും ഉള്ള വെള്ളച്ചാട്ടത്തെ ചാലുകൾവഴിയായി തിരിച്ചു കൊണ്ടുവന്നാൽ ൫൦൦൦-ത്തിൽ പരം ഏക്കർ സ്ഥലം നല്ലകൃഷിസ്ഥലമാക്കാൻ സാധിക്കുന്നതാണു. മിഥുനമാസം മുതൽ വൃശ്ചികമാസം വരെ മഴയുള്ളതിനാൽ ആററിൽക്കൂടി ധാരാളമായി ഒഴുകിക്കൊണ്ടിരിക്കുന്ന വെള്ളത്തെ തിരിച്ചുകൊണ്ടുവരണമെന്നേ പറയുന്നുള്ളു. അതുതന്നെയും മേൽപറഞ്ഞ മഴക്കാലത്തു മഴയില്ലാതെവരുമ്പോൾ ഏതാനും കാലത്തേക്കുമാത്രം മതിയാകും. ഈ കൃഷി തെക്കൻതിരുവിതാംകൂറിലെ പുഞ്ചകൃഷിപോലെയല്ലെന്നും ഗവൺമെന്റിനെ ഞാൻ ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു. റിസർവ് ഫാറസ്റ്റായി തിരിച്ചിട്ടിരിക്കുന്ന പെരിയാററിന്റെ വടക്കുവശത്തുള്ള ഭൂമികൾ തല്ക്കാലം വേണ്ട; തെക്കുവശത്തുള്ള ഭൂമി പതിച്ചുകൊടുത്താൽ മതിയാകും. ആ സ്ഥലം പതിച്ചുകൊടുക്കുകയും വെള്ളച്ചാലുകൾ ഉണ്ടാക്കി വെള്ളം കൊണ്ടുപോകുന്നതിനുള്ള സൗകര്യം ചെയ്തുകൊടുക്കുകയും ചെയ്തിട്ടു് അതു വിജയപ്രദമാണെന്നു കാണുന്നുണ്ടെങ്കിൽ മാത്രം മററു സ്ഥലങ്ങൾ കൂടി പതിച്ചുകൊടുത്താൽ മതിയാകും. അങ്ങനെ സ്ഥലം പതിച്ചുകൊടുത്തു് അവിടെ വെള്ളം കൊണ്ടുപോകുന്നതിനും സൗകര്യപ്പെടുത്തിക്കൊടുത്താൽ അവരിൽ നിന്നും ന്യായമായ വെള്ളക്കരം ഈടാക്കുന്നതുകൊണ്ടും തരക്കേടില്ല. പതിച്ചുകൊടുക്കുന്ന സ്ഥലത്തിന്റെ രീതി അനുസരിച്ചും വളവു അനുസരിച്ചും വെള്ളക്കരമായിട്ടും തറവിലയായിട്ടും കരമായിട്ടും ഒരു നല്ല സംഖ്യ ഗവൺമെന്റിലേക്കു ലഭിക്കുന്നതാണു. ഇങ്ങനെ പതിച്ചുകൊടുക്കുന്നതിനു സൗകര്യമുള്ള അയ്യായിരമോ പതിനായിരമോ ഏക്കർ സ്ഥലം കുന്നത്തുനാട്ടു താലൂക്കിൽ മാത്രമുണ്ടെന്നുള്ള സംഗതി എനിക്കറിയാം. ഇതുപോലെ മററു താലൂക്കുകളിലും കാണുമെന്നുള്ളതു തീർച്ചയാണ്. അതുകൊണ്ടു് കൃഷിഡിപ്പാർട്ടുമെന്റിൽ

നിന്നും ഇതിനെപ്പററി നല്ലവണ്ണം ആലോചിച്ച് അന്വേഷിച്ച നെൽകൃഷിക്ക് ഉപയോഗയോഗ്യമായ സ്ഥലം പതിച്ചുകൊടുക്കുന്നതിന് ഗവണ്മെൻറിനെ ഉപദേശിക്കേണ്ടതാണ്. തിരുവിതാംകൂറിൽ ആകെ ന്നു,൫൦,൯൬൨ ഏക്കർ സ്ഥലം നെൽകൃഷിക്കായി ഉപയോഗപ്പെടുത്തി വരുന്നു എന്നുള്ള സംഗതി എല്ലാവരും അറിഞ്ഞിരിക്കേണ്ടതാണ്. തിരുവിതാംകൂറിലെ ൩൧ ലക്ഷം ജനങ്ങൾക്ക്—ഇപ്പോൾ ൩൫ ലക്ഷം അല്ല; കൂടുതലുണ്ട്—ഇത്രയും സ്ഥലത്തു കൃഷിചെയ്യുന്ന നെല്ലുകൊണ്ട് മതിയാകുകയില്ല. അതുകൊണ്ട് കൃഷിസ്ഥലങ്ങൾ വർദ്ധിക്കത്തക്ക നിലയിൽ ഭൂമി പതിച്ചുകൊടുക്കണം. എൻെറ സ്നേഹിതന്മാരായ മി. കേശവൻ ശാസ്ത്രിയും മി: ജാൺജോസഫും പറഞ്ഞതുപോലെ തിരുവിതാംകൂറിൽ കൃഷിചെയ്യുന്നതിനെന്നുവേണ്ടാ താമസത്തിനുപോലും സ്ഥലമില്ലാത്ത സാധുക്കൾക്കു ചെറിയ ചെറിയ ബ്ളാക്കുകളായി തിരിച്ച് തറവിലയും കരവും നീണ്ടകാലയളവിൽ ഗവണ്മെൻറിനു കിട്ടത്തക്കവിധത്തിൽ അവർക്കു പതിച്ചുകൊടുക്കണം. പണക്കാരായ ആളുകൾക്കു—അവരുടെ നിലയനുസരിച്ചുള്ള ധാരാളം പണം ചെലവാക്കി കൃഷിസ്ഥലങ്ങൾ നന്നാക്കിഎടുക്കാൻ സാധിക്കുന്നവർക്ക്—അതിനനുസരിച്ച സ്ഥലങ്ങൾ പതിച്ചുകൊടുക്കണം. അതിനു ശക്തിയില്ലാത്തവർക്ക് കൃഷിഡിപ്പാർട്ടുമെൻറുമുഖേന ഓരോരുത്തരുടെ സ്ഥിതി അനുസരിച്ച് ആവശ്യത്തിനുള്ള സ്ഥലം വീതം പതിച്ചുകൊടുത്ത് കൃഷിഇൻസ്പെക്ടരുടെ ചുമതലയിൽ വളം മുതലായവ കൊടുത്ത് പരീക്ഷണാർത്ഥം കൃഷിചെയ്തു കാണിച്ചുകൊടുക്കണം. ഇപ്പോൾ എല്ലാവരും വളം വാങ്ങിക്കൊണ്ടുപോകുന്നുവെങ്കിലും ശരിയായവിധത്തിൽ കൃഷിചെയ്യുന്നവരില്ല. കൃഷി ഇൻസ്പെക്ടർമാർക്കു എന്തുകൊണ്ട് ഇവരെക്കൊണ്ട് കൃഷി ചെയ്യിച്ചുകൂടാ എന്നു ചോദിക്കുന്നു. ഈ കൊല്ലത്തിൽ ഒരു സ്ഥലത്ത് കൃഷിചെയ്തു കാണിച്ചുകൊടുത്തിട്ട് അടുത്തകൊല്ലത്തിൽ വേറൊരു സ്ഥലത്ത് പരീക്ഷണാർത്ഥം കാണിച്ചുകൊടുക്കണം. അതിലേക്ക് വളത്തിനുംമററും വേണ്ടിവരുന്ന പണച്ചെലവ് കൃഷി ആദായത്തിൽ നിന്നും ഈടാക്കുന്നതു നന്നായിരിക്കും. ഇവിടത്തെ കൃഷിസ്ഥലങ്ങൾ വർദ്ധിപ്പിച്ചും പരിഷ്കൃതരീതിയിലുള്ള കൃഷിസംപ്രദായങ്ങൾ ഏർപ്പെടുത്തിയും തിരുവിതാംകൂറിലേക്ക് ആവശ്യമുള്ള നെല്ലും അരിയും മററു ധാന്യങ്ങളും ഇവിടെത്തന്നെ കൃഷിചെയ്തുണ്ടാക്കുന്നതിനുമാവശ്യമായ പദ്ധതികൾ നിർമ്മിക്കണമെന്നു ഗവണ്മെൻറിനെ ഉൽബോധിപ്പിക്കുന്ന എൻെറ പ്രമേയം എല്ലാ മാന്യസാമാജികന്മാരും അനുകൂലിക്കണമെന്നു അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

MR. TARIATHU KUNJITHOMMEN: സർ, ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു. ജനപ്രതിനിധികളുടെയും ഗവമ്മെൻറിൻെറയും അടിയന്തരമായ ശ്രദ്ധയ്ക്കു വിഷയീഭവിക്കേണ്ട അതിപ്രധാനമായ ഒരു സംഗതി ഈ രാജ്യത്തുള്ള ജനങ്ങളുടെ ഭക്ഷണത്തിനുള്ള വക ഈ രാജ്യത്തിൽനിന്നും തന്നെ നേടിക്കൊള്ളുന്നതിനു വേണ്ട മാർഗ്ഗങ്ങൾ ഉണ്ടാക്കിക്കൊടുക്കുക എന്നുള്ളതാണ്. നമ്മുടെ രാജ്യത്തിൻെറ വിസ്തീർണ്ണം ജനസംഖ്യ അനുസരിച്ചുനോക്കിയാൽ വളരെ പരിമിതമാണ്. കൃഷിസ്ഥലങ്ങളുടെ വിസ്തീർണ്ണം അതിലും പരിമിതമാണ്. രാജ്യത്തിൻെറ മൂന്നിലൊരു ഭാഗം സ്ഥലം റിസർവ് വനമായി ഒഴിച്ചിട്ടിരിക്കുകയാണ്. ഈ രാജ്യത്തിൻെറ വിസ്തീർണ്ണം ൭൬൦൦ ചതുരശ്ര മൈൽമാത്രമാണ് അതിൽ ൨,൪൦൦ ചതുരശ്രമൈൽസ്ഥലം—എന്നാണ് സ്ററാററിസ്ററിക്സിൽ കാണുന്നത്—റിസർവാക്കി ഇട്ടിരിക്കുകയാണ്. അതു് ഒഴിച്ചു കൃഷിസ്ഥലം ൨൦ ലക്ഷം ഏക്കർ ഡ്രൈലാൻറും ൩ ലക്ഷം ഏക്കർ വെററലാൻഡും ഉൾപ്പെടെ ൨൩ ലക്ഷം ഏക്കർ സ്ഥലമേയുള്ളു. ഈ കണക്കിനു ആളൊന്നിന് അര ഏക്കർ സ്ഥലംമാത്രമെ കിട്ടുന്നുള്ളു. ഇവിടത്തെ ജനങ്ങൾ കൃഷികൊണ്ടു് കാലക്ഷേപം ചെയ്യുന്നവരാണ്. ജനങ്ങൾ കൊടുക്കുന്ന നികുതികൊണ്ടാണ് ഗവമ്മെൻറു രാജ്യകാര്യങ്ങൾ നിർവഹിച്ചു വരുന്നതു്. കയററുമതിത്തീരുവയും ഭൂനികുതിയും കൊടുക്കേണ്ടതു് കാർഷികോൽപ്പന്നങ്ങളിൽനിന്നാണ്. സംഗതികൾ ഇങ്ങനെ ഇരിക്കെ ഇവിടത്തെ കൃഷിസ്ഥലങ്ങൾ വർദ്ധിപ്പിക്കാതിരുന്നാൽ ഈ രാജ്യത്തിനു എങ്ങിനെ പുരോഗതിയുണ്ടാകും? ഓരോ സെൻസസിലും ജനസംഖ്യ വർദ്ധിച്ചുവരുന്നു. ജനസംഖ്യ വർദ്ധിക്കാതിരിക്കുന്നതിനു പല കൃത്രിമമാർഗ്ഗങ്ങളും പറയുന്നുണ്ടെങ്കിലും അതൊന്നും ഈ ധമ്മരാജ്യത്തേക്കു യോജിച്ചതല്ല. ജനസംഖ്യ വർദ്ധിക്കുന്നതനുസരിച്ചു ആഹാരസാധനവും വേണം. ഇവിടത്തെ ആഹാരസാധനത്തിനുവേണ്ടി ഒരു കോടി രൂപ ആണ്ടുതോറും ഇവിടെനിന്നും വെളിയിൽ പോകുന്നുണ്ടു്. ഇതിനെപ്പററി ഗാഢമായി ചിന്തിക്കണം. വ്യവസായം എന്നു പറയുന്നതു് കാലക്രമേണ അഭിവൃദ്ധിപ്പെട്ടു വരേണ്ട ഒന്നാണ്. ഇനി ഒരു അൻപതു വർഷം കഴിഞ്ഞല്ലാതെ വ്യവസായം കൊണ്ടു് ഈ രാജ്യത്തിനു വലിയസാമ്പത്തിക അഭിവൃദ്ധിയുണ്ടാകുകയില്ല. അതിനുവേണ്ടി ഇപ്പോഴെ ശ്രമം ചെയ്യണം. കാലക്ഷേപത്തിനു നിവൃത്തിയില്ലാതെ ജനങ്ങൾ കഷ്ടപ്പെടുമ്പോൾ ഇനി ഒരു കാലത്തേക്കു് ഉപയോഗപ്പെടുമെന്നു് പറഞ്ഞു് വനം സമ്പാദിച്ചുവച്ചതുകൊണ്ടു് എന്തു പ്രയോജനമാണുള്ളതു്? നാട്ടിൻപുറങ്ങളിലെ നിമ്നോന്നതഭൂമികളെ ഡ്രൈ

ലാൻറ് എന്നും വെററ്ലാൻഡ് എന്നും തിരിച്ചിരിക്കുന്നതുപോലെ പവ്വത്തപ്രദേശങ്ങളിലെ കുന്നിൻപുറങ്ങളെ ഡ്രൈലാൻഡായും താഴ്ന്ന പ്രദേശങ്ങളെ വെററ ലാൻഡ് ആയും രൂപാന്തരപ്പെടുത്താം. എന്നാൽ കുന്നുകളിലെ കാടുകൾ എല്ലാം ഉടനടി വെട്ടി നശിപ്പിക്കണമെന്നു പറയുന്നില്ല ആറ്, തോട്, റോഡ് എന്നിവയോട് തൊട്ടുകിടക്കുന്ന സ്ഥലങ്ങൾ റിസർവിൽനിന്നും തിരിച്ചു ജനങ്ങൾക്കു പതിച്ചുകൊടുക്കുന്നതുകൊണ്ട് എന്താണ് തരക്കേടുള്ളത് ?

MR. K. P. KOCHUKORA THARAKAN: വെററ്ലാൻഡിൽ വൃക്ഷങ്ങളുണ്ടോ ?

MR. THARIATHU KUNJITHOMMEN: ഇല്ല.

വനത്തിൽനിന്നും രണ്ടു ലക്ഷം രൂപയാണ് നെററ് ആദായം കിട്ടുന്നത്. അവിടെയുള്ള അനവധി കൃഷിസ്ഥലങ്ങളെ വൃഥാ ഇട്ടാണ് ഈ രണ്ടു ലക്ഷം രൂപാ സമ്പാദിച്ചുകൊണ്ടിരിക്കുന്നത്. അവിടെയുള്ള വെററ് ലാൻറുകളെ പതിച്ചുകൊടുത്താൽ ഇതിലധികം രൂപ കിട്ടുമെന്നു മാത്രമല്ല കിട്ടിക്കൊണ്ടിരിക്കുന്ന രണ്ടു ലക്ഷത്തിനു കുറവും വരികയില്ല. കൃഷിക്കായി പതിച്ചുകൊടുക്കുന്നതിനു സൗകര്യമുള്ള ആയിരം ഏക്കറിൽ കവിഞ്ഞ സ്ഥലം എൻെറ നിയോജകമണ്ഡലത്തിലെ റിസർവിലും കാണുന്നുണ്ട്. വെററ് ലാൻറുകളെ പതിച്ചുകൊടുത്ത് കൃഷിസ്ഥലങ്ങൾ വർദ്ധിപ്പിക്കുകയും ഡ്രൈലാൻറുകളെ വെററ്ലാൻറാക്കി രൂപാന്തരപ്പെടുത്തി അവിടെ ജലസേചനത്തിനുള്ള സൗകര്യങ്ങൾ ചെയ്തുകൊടുക്കുകയും ചെയ്താൽ ഇവിടത്തേക്കാവശ്യമുള്ള ആഹാരസാധനങ്ങൾ ഇവിടെത്തന്നെ വിളയിക്കാൻ സാധിക്കുന്നതാണ്. വ്യവസായംകൊണ്ട് ഈ രാജ്യം അഭിവൃദ്ധിപ്പെടാൻ കാലതാമസം ഉണ്ടാകുമെന്നു മുൻപു പ്രസ്താവിച്ചല്ലോ. കൂടാതെ വ്യവസായവിഷയത്തിൽ കൂടുതൽ തഴക്കവും പഴക്കവും ഉള്ള വിദേശികൾ വലിയ മൂലധനം മുടക്കി തുച്ഛമായവിലയ്ക്കു വ്യവസായസാധനങ്ങൾ ഇവിടെ അയച്ചുകൊണ്ടിരിക്കുന്നതിനാൽ ഇവിടത്തെ ചെറുതരം ഫാക്ടറികളുടെ പ്രവർത്തനംകൊണ്ട് നമുക്ക് പ്രയോജനമുണ്ടാവുകയില്ല. വ്യവസായപരമായ നിർദ്ദേശങ്ങൾ പാഠശാലകൾ വഴിയായി കുട്ടികളെ പഠിപ്പിച്ച് കുടിൽ വ്യവസായം പരത്തണം. വെററ്ലാൻഡുകളെ ലേലം ചെയ്തു പതിച്ചുകൊടുത്താൽ അതിൽനിന്നും നല്ല സംഖ്യ കിട്ടും. ഈ വക മാറ്റങ്ങളിൽക്കൂടി കൃഷിയെ അഭിവൃദ്ധിപ്പെടുത്തി ഇവിടത്തെ ജനങ്ങൾക്കു കാലക്ഷേപമാർഗ്ഗം ഉണ്ടാക്കിക്കൊടുക്കണം. അതിനുവേണ്ടി ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു.

MR. P. KUNJUKRISHNAN: The resolution reads that the paddy required for the consumption of the people in the State must be cultivated here. It has to be considered whether it is possible to produce all the paddy necessary for the people here. There are problems confronting us in trying to achieve this. There is the question of population. There is also the question of the area necessary for extensive cultivation of paddy. The population is increasing by leaps and bounds and the question for consideration is whether in proportion to the increase in population the area for cultivation will be available. These are discouraging factors. Still I shall place before the House certain arguments in favour of the resolution.

In England it is argued that the people live mostly on the proceeds they derive from industry, whereby their purchasing power is enhanced. This could be adopted with advantage in a country like ours. We have other instances of Japan and America where agriculture is resorted to very successfully so much so that they are not only self-sufficing but are able to export paddy in a large measure. My submission therefore is that the examples of Japan and America also may be followed with advantage here.

Again, any country that is able to cultivate its requirements of paddy can well be proud of it and that adds to the material prosperity of the people. During the last Great War, the price of imported rice rose very high and we had to depend upon foreign rice to a very great extent. At present the price has not gone up much because of the prompt measures taken by Government.

But, I would put before the House this question whether the purchasing power of the people has risen along with the rise in price of commodities now, as it cannot be denied that there is a rise in price though the price has not assumed dangerous proportions. In British India we hear the prices of agricultural products have risen, whereas in Travancore the prices have not risen to any appreciable extent. That is a factor to be taken note of very seriously by this House and by Government. What is the price of cocoanut, pepper or rubber? What is the price of coir? What is the position of handloom weaving? All our agricultural products have suffered a lot. Hence the people suffer a lot because they have to depend upon foreign rice which is the staple food of the people here. On that score also it is highly necessary to find out ways, if possible, to cultivate all the paddy required for the people in the State. This should meet with the serious attention of Government. If we had been self-sufficient now, I ask, would not the price of rice be considerably less and would it not afford relief to the people in the country?

How is the paddy cultivation to be improved? There are two methods, the intensive and the extensive methods of cultivation. This is not an easy problem. There is no use blaming the Agricultural Department. There is no use blaming anybody. The Government have to take the matter in hand and make an enquiry in all its spheres and come to a conclusion and have before them a definite scheme to start with. Examples may be taken from other countries.

Experimental stations may be opened. Officers touring from one place to another might do propaganda work regarding scientific methods of agriculture in other countries. All these things can be adopted here.

In regard to extensive cultivation personally I am not in favour of disafforestation. But I would urge that as much land as possible be made available for intensive cultivation.

I would in this connexion draw the attention of the House to the question of drought, and inundation in certain places. Those are serious problems which affect the interests of the cultivators of North and South Travancore particularly. There was the problem of drought for the last 10 years when the paddy cultivators suffered innumerable hardships. Year after year, season after season, the agriculturist was cultivating paddy with immense loss. He is cultivating paddy not for profit not for his own self-sustenance, but simply for cultivation sake. He does not get anything at all in return for the work he does. Within the limited time at my disposal, I don't propose to elaborote on those factors which require elucidation. There are the big rivers in the North, tanks in the south and central Travancore, and wastage of too-much water in the country. If possible, Government must be in a position to reserve the waters both in the north and south in proper season so that they may be utilised to irrigate the lands. No doubt, all these may be expensive schemes. But there is the important fact that large areas require water for irrigation purposes so that the ryots may get at least something in return for cultivation. Let not the cultivator suffer from severe drought which will lead him to abject poverty and absolute helplessness. I seriously ask Government whether the paddy cultivators can be left in this helpless position, to look upon heaven and heaven alone for purposes of cultivation? I ask, can the paddy cultivators be asked to look upon heaven for rainfall when several honourable members advocate disafforestation? I believe, it is due to the destruction of forests that we are getting less and less rain, year after year.

MR. K. P. KOCHUKORA THARAKAN: വൃക്ഷങ്ങളില്ലാത്ത ഭൂമികളും പതിച്ചുകിട്ടണമെന്നേ പറയുന്നുള്ളൂ.

MR. P. KUNJUKRISHNAN: So, the scheme underlying the resolution is a big one. That involves a re-orientation, a re-juvenation of the State, the basic principle being improvement of agriculture and industies of the State. I would specifically draw the attention of the Government to take effective steps to improve cultivation so that the vast majority of the people employed in paddy cultivation is not driven to a miserable and helpless situation. When I say so, I hope one and all the members will join with me.

One more point, Sir. There is a tendency at present for people to convert paddy lands into lands for cultivation of cocoanut etc. By such conversion, people only stand to lose. That is a matter for the Government to look into. With these observations I support the motion.

MR. T. C KESAVA PILLAI : സർ, തിരുവിതാംകൂറിൽ നെൽകൃഷി സ്ഥലങ്ങൾ ഇനിയും വളരെ കൂടുതലുണ്ടെങ്കിൽമാത്രമേ ഇവിടത്തേക്കാവശ്യമുള്ള നെല്ലു് മുഴുവനും ലഭിക്കാൻ സാധിക്കുകയുള്ളൂ. കഴിഞ്ഞ എക്സൈസ് ഡിപ്പാർട്ടുമെൻറിലെ റിപ്പോർട്ടുകൾ കൊണ്ടു് മനസ്സിലാകുന്നതു് മൂന്നുകോടിരൂപാവിലയ്ക്കുള്ള നെല്ലു്, അതായതു് ൧൫ ലക്ഷം ചാക്കു് നെല്ലു്, ഇവിടെ ഇറക്കുമതി ചെയ്യുന്നുണ്ടെന്നാണു്. ഏക്കർ ഒന്നിനു പത്തു ചാക്കുനെല്ലു് വീതം വിളയുകയാണെങ്കിൽ ഏഴരലക്ഷം ഏക്കർ സ്ഥലത്തു് നെൽകൃഷി കൂടുതൽ ചെയ്താൽ മാത്രമേ ഇവിടത്തേക്കാവശ്യമുള്ള നെല്ലു് മുഴുവനും എല്ലാക്കാലത്തും കിട്ടുകയുള്ളൂ. ഇപ്പോൾ ൬ ലക്ഷം ഏക്കർ സ്ഥലത്താണു് നെൽകൃഷി ചെയ്തുവരുന്നതു്. ഇനി ഏഴരലക്ഷം ഏക്കർ സ്ഥലംകൂടി വേണ്ടിയിരിക്കുന്നു അതിലേക്കു റിസർവിൽ നിന്നും കുറെ സ്ഥലം ഒഴിച്ചു പതിച്ചുകൊടുക്കണം. ഉൾനാടുകളിലെ പാഴ്ഭൂമികൾ നെൽകൃഷിക്കു യോജിച്ച ധാരാളം സ്ഥലങ്ങൾ കിടപ്പുണ്ടു്. ആ സ്ഥലങ്ങൾക്കു് ജലം കൊടുത്തു കൃഷിസ്ഥലങ്ങൾ വർദ്ധിപ്പിക്കാതെ കൃഷിഡിപ്പാർട്ടുമെൻറിൽ നിന്നും എത്ര പ്രയത്നിച്ചാലും എത്ര പ്രചരണവേലകൾ ചെയ്താലും എത്ര റിപ്പോർട്ടു് എഴുതിയാലും ഫലം ഉണ്ടാവുകയില്ല. ആഹാരം കഴിക്കാതിരുന്നാൽ മനുഷ്യർ ചത്തുപോകും. മഴക്കാലത്തു മലയിൽ നിന്നും ഒഴുകിവരുന്ന വെള്ളം വെറുതെ സമുദ്രത്തിൽ ചെന്നു ചേരുകയാണു് ചെയ്യുന്നതു്. ആ വെള്ളം കൃഷിക്കുപയോഗപ്പെടുത്തത്തക്ക വിധത്തിൽ വേണ്ടതു് പ്രവർത്തിക്കുന്നതിനു സമർത്ഥനായ നമ്മുടെ ചീഫ് എൻജിനീയർ അവർകൾ നമുക്കുണ്ടു്. അദ്ദേഹത്തിൻെറ പേരു് പറളിയാററിൻെറ തീരത്തു (Paraly Dam) കൊത്തിവച്ചുകാണണമെന്നാണു് എൻെറ ആഗ്രഹം. നെയ്യാററിൻകര താലൂക്കിൽ അരുവിപ്പുറം അരുവിക്കര മുതലായ സ്ഥലങ്ങളിൽ വെള്ളച്ചാട്ടങ്ങൾ കാണുന്നുണ്ടു്. അവയെ തിരിച്ചുകൊണ്ടുവന്നാൽ അനേകം ഏക്കർ സ്ഥലം കൃഷിക്കു ഉപയോഗിക്കാവുന്നതാണു്. കരിവുണ്ടാകുന്ന നിലങ്ങളിൽ മരച്ചീനി നടുകയാണു് ഇപ്പോൾ ചെയ്തുവരുന്നതു്. പത്തു രൂപാ കരംകൊടുത്തിട്ടു് മണ്ടനായ കൃഷിക്കാരൻ ഒരു രൂപയുടെ മരച്ചീനി നടുകയാണു് ചെയ്തുവരുന്നതു്. അങ്ങനെ ചെയ്യുന്നതു് അവനു നിവൃത്തിയില്ലാത്തതുകൊണ്ടാണു്. തെക്കുനിന്നു ചിറയിൻകീഴ് താലൂക്കുവരെയുള്ള താഴ്ന്ന പ്രദേശങ്ങളിൽ നല്ല കൃഷി സ്ഥലങ്ങൾ ഉണ്ടാക്കാൻ സാധിക്കുന്നതാണു്. ആരുവാമൊഴിയിൽ ഏക്കറൊന്നിനു് നാലണ കൊടുത്താൽമതി, എത്ര സ്ഥലം വേണമെങ്കിലും വിലക്കുവാങ്ങാം. വെള്ളം തിരിച്ചുകൊ

ണ്ടുപോകുന്നതിനു സൗകര്യമുണ്ടായിരുന്നാൽ അവിടെയും നല്ലകൃഷിസ്ഥലങ്ങൾ ഉണ്ടാക്കാൻ സാധിക്കും. എന്റെ മാന്യസ്നേഹിതനായ ചീഫ് എൻജിനീയർ അവർകൾ ഇതിലേക്കു വേണ്ട പദ്ധതികൾ നിർമ്മിച്ചു ഉടനടി നടപ്പിൽവരുത്തുന്നതിനു ശ്രമിച്ചാൽ കൂടുതൽ ഏഴുലക്ഷം ഏക്കർ സ്ഥലം പ്രയാസംകൂടാതെ കൃഷിചെയ്യുന്നതിനു ലഭിക്കുന്നതാണ്. നൂറോ ഇരുനൂറോ ഏക്കർ സ്ഥലം ഒന്നായി കൃഷിചെയ്യുന്നതിനു പൊതുജനസംഘടനമുഖേന അപേക്ഷിക്കുന്നതായാൽ അങ്ങനെയുള്ള പൊതുജനപ്രസ്ഥാനങ്ങൾക്ക് സ്ഥലം പതിച്ചുകൊടുക്കുന്നതിനു ഗവണ്മെന്റിൽ നിന്നും അനുവാദം കൊടുക്കണം. ഇറിഗേഷൻ പദ്ധതികൾ അപ്രകാരം പൊതുജനങ്ങൾ നടത്തിക്കൊള്ളാമെന്നു ഏല്ക്കുന്നപക്ഷം ഗവർമ്മെന്റു അനുവാദം കൊടുക്കേണ്ടതാണ്. പള്ളിവാസൽ പദ്ധതി നടപ്പിൽവന്നതിനുശേഷം ഇലക്ട്രിസിററി ഉപയോഗിച്ച് കൂടുതൽ കൃഷിസ്ഥലങ്ങൾ ഉണ്ടാക്കണം. ഈ വിധത്തിൽ നമ്മുടെ ഭാവി എത്രയും ശോഭനീയമായിത്തീരുന്നതിനും ശ്രീ ചിത്തിരതിരുനാൾ തിരുമനസ്സിലെ ഭരണകാലത്തെ തിരുവിതാംകൂർ ഉള്ളകാലംവരെ സ്മരിക്കത്തക്കവിധത്തിലുമുള്ള പദ്ധതികൾ ഏർപ്പെടുത്തി അവയെ നടപ്പിൽവരുത്തുന്ന വിഷയത്തിൽ സഹായിക്കണമെന്നു ഈശ്വരനോട് പ്രാർത്ഥിക്കുകയും തിരുവിതാംകൂറിന്റെ നാനാഭാഗങ്ങളിലും സഞ്ചരിച്ച് പഴക്കമുള്ള ചീഫ് സെക്രട്ടറി അവർകളും അതിലേക്കു വേണ്ട നിർദ്ദേശങ്ങൾ നൽകണമെന്നപേക്ഷിക്കുകയും ചെയ്തുകൊണ്ട് ഈ പ്രമേയത്തെ ഹാർദ്ദവമായി പിൻതാങ്ങുന്നു.

MR. KOTTALIL P. ABRAHAM: Sir, I support the motion. This is not the first occasion when a resolution of such magnitude is moved in the House. On prior occasions, propositions of this nature have come up for consideration. In normal times, elaborate arguments may be needed to drive home to Government the importance of such propositions. But this time, nothing of the kind is necessary. Since the outbreak of the present-European war, some sort of consternation has cropped up in the minds of the people and of the Government on the difficulty of imports from outside countries. Even the Government thought it necessary to stock rice in large quantities to meet emergent needs of their people. Urgent steps have therefore to be taken to see that Travancore is self-contained in the production of paddy. Various are the ways. All available area should be brought under cultivation. The ryots should be taught and trained to derive the utmost benefit out of the areas they cultivate. Intensive cultivation our ryots have yet to learn. I am aware that the Agricultural Department has begun to pay better attention in this respect. The hardship of the agriculturists has to be removed forthwith; they must be given proper

[Mr. Kottalil P. Abraham.]

encouragement and timely relief so as to enable them to carry out a successful intensive cultivation of paddy. By doing so, it is my belief that Travancore will attain self-sufficiency as regards paddy at least. I see that the time is up: and I have to close.

DEPUTY PRESIDENT: The House will now adjourn *sine die*.

The House adjourned *sine die* at 5 P. M.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

SECOND ASSEMBLY.

SIXTH SESSION—1115/1940.

VOLUME XV—No. 7.

Monday, the 4th March, 1940/21st Kumbham 1115.

The Assembly met at 11 of the Clock in the Legislative Chamber Public Offices, with Sachivottama Sir. C. P. Ramaswami Aiyar K. C. I. E., LL. D. Dewan President in the Chair.

MEMBERS SWORN.

The following members were sworn in:

Mr. C. V. Chandrasekharan (*Pro-Vice-Chancellor*).
Mr. A. Gopala Menon (*Director of Public Instruction*).
Dr. M. K. Gopala Pillai (*Director of Public Health*).
Mr. K. V. Joseph [*Nominated for the purpose of the Travancore Agriculturists' Relief Act (Amendment) Bill*].
Dr. S. Kamesam (*Director of Development*).
Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government*).
Mr. C. Kumara Das (*Director of Industries*).
Mr. K. Madhava Kurup (*Director of Registration*).
Mr. G. N. Thampi (*Secretary to Government*).
Vaidyasastra Kusala Dr. (Mrs.) M. Poonen Lukose (*Surgeon-General*).
Mr. P. Raman Pillai (*Conservator of Forests*).
Mr. R. Sambasiva Aiyar [*Nominated for the purpose of the Travancore Agriculturists' Relief Act (Amendment) Bill*].

MESSAGES FROM THE SRI CHITRA STATE COUNCIL.

SECRETARY: I beg to report that the following Message has been received from the Secretary to the Sri Chitra State Council: –

"Under Rule 42 of the Travancore Legislative Rules, I am directed to inform you that the Sri Chitra State Council has, at its

G.P.T. 2086. 350. 12-9-1115.

[Secretary.]

meeting held on the 30th January 1940, agreed without any amendments, to the following Bills which were passed by the Sri Mulam Assembly at its meeting held on the 26th January 1940 :—

1. The Travancore Rubber Control Bill.
2. The Travancore Bankers' Books Evidence Bill.
3. The Travancore Reformatory Schools Act (Amendment) Bill.
4. The Travancore Census Bill.

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

SECRETARY: I beg to report that the following Bills received the assent of His Highness the Maharaja :—

1. The Travancore Rubber Control Bill.
2. The Travancore Bankers' Books Evidence Bill.
3. The Travancore Reformatory Schools Act (Amendment) Bill.
4. The Travancore Census Bill.

LEGISLATIVE BUSINESS.

THE TRAVANCORE AGRICULTURISTS' RELIEF ACT (AMENDMENT) BILL.

MR. JOSEPH VITHAYATHIL (*Kunnatnad cum Parur*) : Sir, in view of the fact that the joint session of the Council and the Assembly is going to sit today for the purpose of considering the question of debt relief to the agriculturists, I do not propose to move the motion standing in my name.

The Assembly adjourned at 11-12 A. M.

JOINT SITTING OF THE SRI MULAM ASSEMBLY AND THE SRI CHITRA STATE COUNCIL.

A joint sitting of the Sri Mulam Assembly and the Sri Chitra State Council was held at 12 noon. The Dewan addressed the members of both the Houses as follows :—

Honourable members of the Legislature,

I have taken the liberty of requesting the attendance of the two Houses of the Legislature for the purpose of explaining certain matters to the honourable members and also of obtaining some assistance in the solution of what is indubitably a very important and intricate question. At the outset let me hasten to correct a misconception that seems to prevail. I was the recipient of some letters and I have also received some oral representations to the effect that this is regarded as an attempt on the part of the Government to shelve or postpone or hinder the enactment of legislation in the matter of debt relief. Let

me at once correct that impression. This joint meeting of the Houses of the Legislature is intended solely and simply for the purpose of considering certain doubts which Government feel and to have those doubts resolved mainly in order to enable Government, with the assistance of the members of the two Houses, to introduce legislation which will be initiated without any delay and in the space of a few weeks rather than of months. Let me therefore begin by saying that this meeting of the two Houses is not to be regarded as part of dilatory tactics. I wish to assure the honourable members of the Legislature that Government are as much alive to the importance and the seriousness of the situation in so far as certain debts and debtors and people with certain assets and a certain amount of indebtedness are concerned and it is the object and aim of Government to help those that are in real need of help. And, such help will be and must be forthcoming without any delay.

I shall next advert to certain points on which there is and need be no controversy and certain points on which Government feel doubts. I may say at once that Government have not finally made up their minds on any of the matters which will be placed by me before the House, and Government are open to conviction as a result of the discussion here. The views of the two Houses of the Legislature will be of the utmost value in coming to a decision.

After having said that the Government are open to conviction I may also say that there are certain preliminary observations that I should like to make and the first is to pay a tribute to the labours of the Debt Relief Enquiry Committee whose enquiries, investigations and discussions have resulted in a report from which Government have derived and will derive, I feel certain, very great assistance indeed. With a great deal of what is contained in the report, and I say it with the utmost pleasure, Government are in entire agreement, and they intend and propose to implement those portions with which they are in agreement as early as possible. The President and members of the Committee in a very short time and working intensively and at high pressure have gone into the matter most thoroughly and have produced an extremely valuable report. I am sure members of both the Houses will acknowledge that assistance from the labours of that Committee which the Government have derived and acknowledged. It is beyond controversy that there is a real evil and that evil has to be remedied, and the problem of indebtedness has to be solved. Now the question is, what is the solution and how far can that solution proceed. There are one or two observations contained in the report of the Debt Relief Enquiry Committee to which I shall draw attention. On pages 18 and 19 of the Committee's report are contained the statement which are of a revealing and instructive character. The Committee say —

> "It cannot be denied that a substantial restriction of credit would result. That is said to have been the immediate result of the Madras Act,..............................

[President.]

Naturally, the first reaction of the person who has money to invest or lend would be to avoid subjecting himself to the risk of such legislation in future..................

This, however, is a state of mind which is not likely to last long and it may be anticipated that in a few years, the capitalist would find his fund gradually diminishing by consumption and would again start to make profit by lending it out. The other alternative is that the capitalist, big or small, would invest his money in Government Savings Banks or bonds, thereby providing the Government with money for financing business."

Mark the words "thereby providing the Government with money for financing, business." Such financing, Government can undertake only to a very limited extent. Then the report further says :—

"Here we would only say that provisions for scaling down existing debts should be supplemented by provisions for future credit to the workers."

Reading this as a whole it will be seen that here and on pages 38 and 39, this Committee, composed as it is of men eminent in several walks of life, have undoubtedly realised that the problem would have to be solved on the lines of the interference with contracts, and what has been called the sanctity of contracts. That they realise and they say that that interference with the sanctity of contracts should be and would be justified on special grounds. There has been a considerable amount of agitation and discussion on this subject. But there has been much less of agitation and discussion on the part of persons who are really hard hit than on the part of persons who are not so hard hit.

One of the points which the Government would wish to ascertain is as to who are the persons who are to be benefited by any such legislation? In regard to this, at page 9 of their report, the Committee say :—

"The main ground on which the claim for relief is based is the sudden and abnormal increase in the burden of debt due to the steep fall in prices. This increase equally affects the small man and the big man and makes it necessary to relieve both from the inequitable burden."

Speaking for myself, I find it difficult to subscribe to that proposition, and I do not wish to disguise this from the assembled members of the two Houses of Legislature. Why is any such relief provision necessary? It is necessary for the purpose of helping the otherwise helpless man, the debtor who is in the clutches of the money-lender or the capitalist and who cannot really bargain on equal terms with the creditor and not for the purpose of relieving the speculator, the man who has a considerable amount of money or property and has also incurred losses and debt and who has not been at the mercy of the creditor. Supposing a man with 1,000 acres goes to a creditor and asks for money and the creditor says that he will give it only at 12 per cent. interest, it is open to the former not to borrow the money but to sell 500 of

those acres and deal with the situation and he is not at the mercy of the creditor; whereas the man with one acre is at the mercy of the creditor if he desires to raise money thereon and is entirely amenable to his influence. Are such relief measures to be applicable to persons who are able to deal with creditors more or less on an equal footing and are able to bargain with them? At the present moment I say that Government have not made up their minds on this matter, but they do feel that it is in many senses very difficult for them to deal with the question of large capitalists—they are after all capitalists themselves—dealing with other large capitalists. At page 10 of their report the Committe say:—

"It must also be remembered that there are several ways in which relief may be granted to the debtor, short of finding money to discharge his debt. Reduction in the rate of interest and the concession to repay the debt in instalments spread out over a number of years are substantial advantages of which there can be no justification to deprive the man with the burden of a big debt."

How and why did he get that big debt?

In regard to that matter let me refer to the reports of the Banking Enquiry Committee and the Economic Depression Enquiry Committee. The statistics collected by them prove that 77 per cent. of the debts were incurred at that time in respect of the discharge of prior encumbrances. In the Banking Enquiry Committee Report, at page 48, paragraph 60 gives the purposes for which loans were secured in the year 1928-29. Loans for payment of prior debts formed 71·7 per cent., while those for improvement of lands formed 4·8 per cent. Therefore, if it is asserted that these moneys were borrowed for improving the agricultural holdings of the large debtors, this contention is belied by these figures. Apart from that, is it the duty of the public, is it the duty of the Legislature or is it the right of the Legislature to help the people who are or must be otherwise able to help themselves? That is a point on which Government would like to have instruction and enlightenment from the assembled members of the two Houses. If a person lends, say Rs. 50,000, to another person who is able to get enough credit for the purpose either of speculation or for the purpose of increasing an already large holding by making it larger, on what principle, or precedent or practice or legislative convenience is it that Government and the Legislature should intervene? Should they help the rich man who has tried to become richer and who has not succeeded in becoming so? At pages 18 and 19 of the Debt Relief Enquiry Committee's report it has been stated that reasonable relief should not be unfair to either party. That is exactly the position that the Government wish to take and that is a matter on which also Government would like to get full and comprehensive advice from the assembled members of the two Houses.

As I said, there are many matters in regard to which there is no controversy. On the question of the compartmental treatment of agricultural and other debts, the Government are at one with the Committee. With regard to making these measures not available to the

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agriculturists alone the Government are entirely with the Committee. With regard to the question of reducing the rate of interest and the question of the period of repayment, the Government are at one with the Committee. On the question of banks and co-operative societies, the Government are at one with the Committee subject to what I shall say later as to the co-operative societies. In regard to the question of lowering the minimum to be advanced by the Credit Bank to Rs. 100 and the raising of the advances to be made to 60 per cent. of the holdings, the Government are at one with the Committee.

The points on which the Government wish to get elucidation are only a few. One of those points, as I have already stated, is the question as to whether the remedy is to be extended to all persons irrespective of their pecuniary status or is it to be confined in some other manner? In regard to this various suggestions have been made. It has been suggested, for instance, that the majority of the debtors in this State owe practically small amounts of money. It is proved that about 95·2 per cent. of the debtors in the State are those whose debts are below Rs. 5,000. If Government and the Legislature are going to help the debtors, should they not confine themselves to attending to those persons and their needs rather than to attending also to those who have been able to obtain larger advances and have availed themselves of those advances? Of the small debtors it could readily be said that their present plight is due to the phenomenal fall in prices. But with regard to the other people with large debts, could it or could it not be said that they have had a good time, that they made large incomes some time ago, that they have not been making equally large incomes now and that they not unnaturally desire relief? The matter has been put to me like this— that people who pay Rs. 100 or more as land tax and those who are assessed to income tax of Rs. 100 or more should be outside the scope of relief and that only others should be within the scope of this Bill. That is a matter on which opinion has to be gathered. It is also a self-evident fact that those who get their income in money have not been affected by the depression.

The next point is about the co-operative societies; that is another important matter that has arisen for solution. On that, Government have not only not made up their minds but fully realise that there is a good deal to be said on both sides. There is no doubt that the co-operative societies in Travancore have been functioning—or have been reported to be functioning—more or less like usurers; in other words, they have been making advances on terms not very different from and conditions not dissimilar to those adopted by ordinary money-lenders, so that there would be nothing unjust in the same treatment being meted out to them as will be meted out to the money-lenders. But, there is another aspect with regard to the co-operative societies, which will have to be borne in mind. Government started these societies with a certain purpose, and armed them with certain powers and privileges; they were given the powers to make their own bye-laws and rules. In fact, Government, when they started these societies, gave

them a send off as it were in order that their avowed object might be fulfilled. The question has to be considered whether the Government should do anything which may lead to the collapse of many societies or rather the majority of the existing societies.

Then, another point on which too certain doubts have been expressed is this. The Debt Relief Enquiry Committee has not dealt with what may be called the small creditor, apart from the small debtor. I am referring to a person whose sole asset in this world is a sum of, say, Rs. 1,000. As honourable members are aware, there are many such persons, many of them widows or helpless old men who have invested small amounts with capitalists on whom they rely to maintain themselves. I know of such cases very well. Invariably, such persons choose the wealthiest man in the village and deposit the money with him. It will then happen that many of these wealthy men become debtors to these widows, these helpless women with only a thousand rupees to their credit in the whole world, and no other asset. Now the question is, are you going to allow the scaling down in favour of these rich men of the villages and against the poor widow who has only Rs. 1,000 to her credit. That is a matter which the House will have to consider. Are the poor widow with her Rs. 1,000 to her credit, and the millionaire who is debtor to the widow to be treated on the same footing as other creditors and debtors? That is the point that the House has to consider.

Then comes the question of trade debts about which also a great deal can be said on both sides. Again I may say that Government have not come to any conclusion on this point either, although the question is intimately bound up with the maintenance of the commercial credit of the country without which industrial progress will be rendered difficult. The observations of the committee on this point are contained in paragraph 111, at page 38 of their report. They say that the choice lies between the wholesale merchants and the retail trader, and state that, as between them, the former could better bear the loss than the latter. The same rule, I submit, should be applied to the debtor also. If the question is as to who could bear the burden better as between the big debtor and the small debtor, certainly it is the former; because, it is possible for him, by selling the bulk of his properties if need be to pay off all his debts, and still have something left with him for keeping body and soul together; that is out of the question so far as the small debtor is concerned since he owns just enough for pulling on.

Another point on which there is or can be some doubt is with regard to the agency to settle these disputes between the creditor and the debtor. I may say as the head of the administration that, generally speaking, Government are now agreed that what may be called a voluntary agency through conciliation courts—the course that has been tried here —has not been successful; and Government are perfectly willing to take these disputes back to the courts. It cannot but be

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admitted that the problem originally arose entirely on account of the Civil Courts in the country, on account of the delays in the courts, notwithstanding the efficiency of our Judicial officers. It cannot but be admitted that the delays in the disposal of suits, especially of execution proceedings, have been so great that both the creditor and the debtor really lost heart over this matter. Unless in the future Government and the court can do something to avoid such inordinate delays, we shall really be in a very bad position indeed. Our courts seem to have thought that speed and expedition do not matter in relation to efficiency of judicial work : and that has led to inordinate delays and this difficult problem now confronting us. If within six months or a year of the date of filing a suit a decree was passed, and within the next six months it is executed, there would have been no trouble at all. Now, the delay has led to such great accumulation of interest that new factors have come into operation. I am sorry to have to say that much of our trouble arising out of agricultural and other indebtedness has been due to the dilatoriness of the courts of this country. I make this observation in the hope that courts will do their work more expeditiously and not grant frequent adjournments either to suit the convenience of the lawyers or of the judges themselves, or for other considerations and will not lend themselves to misplaced doctrinaire propositions in favour either of the debtor or of the creditor.

Now, I hope it will be clear to the House that the Government are at one with the Committee on most points.

As at present advised, Government feel great practical difficulty in extending help to the rich debtor. Are we to bring in a legislation merely because a set of rich, influential debtors have successfully organised public opinion and set up a strong agitation in their support? This is what the Committee state in paragraph 54, at page 19 of their report :—

> "It is also feared, and not without reason, that the compulsory reduction of debts will make borrowers reckless in the hope that agitation would always bring about legislation easing the burden of debt. If by the nature and frequency of debt legislation such an idea was likly to be encouraged, the result would certainly be deplorable. Any material benefit that debtors might occasionally derive therefrom would be more than counter-balanced by the moral deterioration caused by the systematic disregard of the pledged word. That is a contingency that Governments and Legislatures have to provide against. It must be made plain beyond any doubt that mere agitation by the debtors for the purpose would not result in legislation relieving them from the obligation to carry out their contracts".

Assuming for a moment that the whole problem has been due to agitation on the part of certain rich and influential persons in the country who happened to borrow huge sums of money and are therefore now in the position of debtors, should the Legislature help such rich debtors and speculators by a scaling-down legislation in their

favour? Assuming that we take such steps what is there to prevent the agitation being repeated some time hence, and another attempt being made to scale down further even the scaled-down debt? If the idea gains ground that influential and well-to-do people who have money and resources at their command can go about and get a legislation of this kind enacted, credit will stop and no industrial progress will be possible. I hope the Legislature will make it clear that agitation of any kind will not give rise to legislation of this kind in future. Any step that we now take must be of such character that it will have the element of finality. It must be made perfectly clear to the country at large that after the debts are scaled down now, there will be no other chance of further agitation started for the purpose of any further relief. I feel very strong on that particular aspect of the matter, because I know that in countries which have enacted legislation of this kind, credit has notably shrunk and money is moving from certain localities where such legislation has come into being, because of the uneasiness of creditors. I am absolutely not in sympathy with the money-lender who, taking advantage of the necessity and the circumstances of the borrower, pushes him to a corner, files a suit against him, gets a decree against him and after some time threatens execution and gets into an agreement with him adding some more money and getting a new document. The question is whether relief is to be given only to such persons against whom all those ways and arts can be used, or also to people who are more or less on an equal status with the creditors, and who do the same thing with *their* debtors—for, many of these debtors are creditors too. Such information as Government have in their possession indicates that, while they were very anxious to have their debts scaled down, such big debtors have not been equally merciful to *their* debtors and have continued to indulge in expensive pre-occupations. These aspects must be borne in mind by the members of the two Houses. It is because Government feel that they cannot take up a definite position, on all these topics fraught with very grave consequences without a full discussion of the subject by the Legislature, that Government have taken the step of regimenting the combined wisdom of the two Houses of the Legislature.

How the Legislature may proceed is a matter on which I would make a suggestion, *viz.*, that the House may very informally discuss the matter amongst themselves, go into committee, so to say, for a day or two; at the end, if there is some kind of unanimity the result may be reported by the two Houses. By such a course, one undoubtedly valuable result would be achieved, *viz.*, the two Houses of the Legislature will come to a common understanding with regard to this matter; and we can have a legislative enactment pushed through later on. Otherwise, having regard to the temperament and the composition of the two Houses of the Legislature, there may be the possibility of conflict of opinion; Government are anxious to avoid that. There should be the greatest common measure of agreement; that is why the suggestion has been made that the two Houses of the Legislature should

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meet together and deliberate on this matter, have a full discussion, and then, if it is possible, bring those conclusions into a form. We shall then know how the opinion lies; and Government will formulate their opinion having regard to the general feeling in the country. I may again assure the honourable members of the House that, even on the point of the rich and the poor debtors, although, speaking personally, I have strong views on the subject, I do not think I am entitled to act upon those views *per se* if it is found that the general opinion is that the rich debtor should be helped as well as the poor debtor. Government will pay due weight to that view; only, I do not want to hide from the honourable members of this House my personal opinion that a legislation of this kind should help only the necessitous, the poor man, and not the rich man, who taking advantage of the credit which he had by virtue of his large assets entered into certain transactions but was not able to make the profit which he bargained for. That is my personal opinion. But Government are not wedded to that opinion and they will be guided very largely by the opinion of the country as voiced by its representatives in the two Houses of the Legislature.

With these words, I would invite the honourable members to go into an informal conference for the purpose of discussing the matter, if they do not find any objection to that procedure.

MR. R. SAMBASIVA AIYAR [*Nominated for the purpose of the Travancore Agriculturists' Relief Act (Amendment) Bill*]: Sir, I would submit for the consideration of the Chair—

PRESIDENT: I would like to know first whether what I have said commends itself to the main organised parties of the House. What is your opinion, Mr. Padmanabha Pillai?

MR. KAINIKKARA M. PADMANABHA PILLAI (*Member, Sri Mulam Assembly—Changanacherry* cum *Peermade*): I think we might discuss the matter as suggested by you. In view of the great importance of the subject, I would request the Dewan President to preside at those meetings.

PRESIDENT: It is not with the view that I should retire and allow honourable members to discuss amongst themselves that I made the suggestion. It is because an informal discussion is likely to clear doubt, and be more elucidatory that I made the suggestion. I propose to be here from the first to last. But does the procedure commend itself to the honourable members?

MR. KOTTUR KUNJUKRISHNA PILLAI (*Member, Sri Chitra State Council—Quilon* cum *Kunnattur*): I agree to the procedure suggested by the Chair.

MR. K. G. KUNJUKRISHNA PILLAI (*Member, Sri Mulam Assembly—Neyyattinkara* cum *Trivandrum*): I also agree to that procedure.

PRESIDENT: Does any member wish to raise any objection to that procedure?

MR. N. RAMAKRISHNA PILLAI (*Member, Sri Mulam Assembly—Vaikam* cum *Kottayam*): I also agree to the suggestion made by the Chair.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI (*Member, Sri Chitra State Council—Karunagapally, Kartikapally and Ambalapuzha* cum *Shertallai*): I too agree, but this should not become a precedent. In view of the importance and emergency of the problem, I agree to the procedure suggested by the Chair; but I do not wish that the individual deciding power of either of the two Houses should suffer to any extent.

PRESIDENT: I quite realise that. I am one with the honourable member who spoke last. But, there are ever so many difficulties in the matter. Suppose, for instance, the same problem is put to the Assembly, and the Assembly comes to certain conclusion; and then the Council may not arrive at the same conclusion. Everybody says that the whole problem must be dealt with soon. That is why this procedure has been adopted. If there is some unanimity, the idea of Government is to summon the Assembly very shortly—and then the Council—and push through some suitable legislative enactment. That is the present idea of Government.

In view of the informal discussion, the question is whether it should be open to the press? I am entirely at the hands of the House.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: They may also be informally present.

PRESIDENT: I have no objection to that.

The House will now adjourn.

The Joint Sitting terminated at 12-40 P. M.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

[*The proceedings of the informal conference of the members of both Houses who met subsequently to discuss the report of the Debt Relief Enquiry Committee are issued as a separate appendix to this volume.*]

PROCEEDINGS
of

THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT.*)

SECOND ASSEMBLY.

SIXTH SESSION.

Monday, the 17th June 1940/4th Mithunam 1115.

The Assembly met in the Legislative Chamber at eleven of the clock with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President in the chair.

OATH OF OFFICE.

The following members took the oath and signed the rolls :—

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (Inspector-General of Police.)

Mr. M. S. Doraswami Aiyangar (Chief Engineer).

Mr. K. V. Joseph (Co-opted).

Mr. K. A. Muhamed (Co-opted).

Mr. M. K. Nilakanta Aiyar (Chief Secretary to Government).

Mr. M. Ramachandra Rao (Land Revenue and Income Tax Commissioner).

Mr. R. Sambasiva Aiyar (Co-opted.)

Mr. S. Sundararajan (Financial Secretary to Government).

QUESTIONS AND ANSWERS.

Improvement of the Parur-Muthakunnam road.

237. *MR. A. K. KUMARAN VAIDYAN (*Kunnatnad* cum *Parur*): Will the Government be pleased to state whether they have received representations regarding the necessity of improving the Parur-Muthakunnam road and, if so, what action they have taken ?

MR. M. S. DORASWAMI AIYANGAR : No.

Cheriapalam in Madaplathuruthi.

238. *MR. A. K. KUMARAN VAIDYAN : Will the Government be pleased to state whether they have enquired into the condition of the Cheriapalam in Madaplathuruthi in Parur taluk ?

MR. M. S. DORASWAMI AIYANGAR: Yes.

Alwaye and Thottpally Bridges.

239. *MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad* cum *Parur*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the length of the bridge that is being newly constructed on the Alwaye-North Parur road over the Periyar river;

(*b*) the width of the bridge including the foot-path;

(*c*) the height from the bed of the river to the surface of the platform and from there to the top of the arch;

(*d*) the length of the bridge newly constructed at Thottapally;

(*e*) its width;

(*f*) the height from the bed of the canal to the surface of the platform;

(*g*) the materials with which the bridge at Alwaye is being constructed;

(*h*) the materials with which the bridge at Thottapally was constructed;

(*i*) the estimated cost of the Alwaye bridge;

(*j*) the amount for which the construction of the Alwaye bridge (bridge alone) was given on contract; and

(*k*) the expenditure incurred in connection with the Thottapally bridge (bridge alone)?

MR. M. S. DORASWAMI AIYANGAR: (*a*) 444′—10½.″

(*b*) 34′—2″

(*c*) 36 and 28′—9¼″ respectively.

(*d*) 100′; inclusive of the two land spans at either end the length is 130′.

(*e*) 9′

(*f*) The height of the surface of platform from the bed of the lock chamber is 27′—10″

(*g*) Rubble masonry in cement for piers and abutments and R. C. C. for superstructure and platform.

(*h*) Teak and ascu treated Maruty with necessary hardware materials.

(*i*) Sr. Rs. 2,73,597.

(*j*) Bh. Rs. 2,23,840.

(*k*) Sr. Rs. 31,861-25-12.

MR. K. P. KOCHUKORA THARAKAN: ആലുവാപ്പാലം പണിയിച്ചതിന് ചതുരശ്രഅടി ഒന്നിന് എന്തു ചെലവായിരിക്കും ?

MR. M. S. DORASWAMI AIYANGAR. Rs. 15.

MR. K. P. KOCHUKORA THARAKAN: തോട്ടപ്പള്ളിപ്പാലം പണിചെയ്യുന്നതിന് ചതുരശ്രഅടി ഒന്നിന് എന്തു ചെലവായി ?

MR. M. S. DORASWAMI AIYANGAR: Rs. 27.

MR. K. P. KOCHUKORA THARAKAN : ഈ രണ്ടു സ്ഥലത്തേയും പാലം പണിയിൽ ചെലവിൽ ഇത്രമാത്രം വ്യത്യാസം വരുവാനുള്ള കാരണം എന്താണെന്നു പറയാമോ ?

MR. M. S. DORASWAMI AIYANGAR: The Thottapalli bridge was a sort of an experimental bridge which was constructed. Once it collapsed and probably that was the reason for the high charges that were incurred.

MR. K. P. KOCHUKORA THARAKAN : മൂവായിരം രൂപയുടെ നഷ്ടം വരുമെന്നു ഗവണ്മെൻറു പറഞ്ഞിട്ടുള്ളതായി അറിയാമോ ?

MR. M. S. DORASWAMI AIYANGAR : Yes.

Kavanad bazaar-Aravilakadavu road.

240. ✻ **MR. P. KUNJUKRISHNAN** (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(*a*) whether the Government have received any representation from the public of West Quilon praying for the conversion of the Kavanad bazaar-Aravilakadavu road on the Quilon-Neendakara line into a cartable road; and

(*b*) what steps have been taken?

MR. M. S. DORASWAMI AIYANGAR: (*a*) No.

(*b*) Does not arise in view of the answer to part (*a*).

Carriages plying between Perumbavoor and Kothamangalam.

241. ✻ **MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to mention the carriages now plying between Perumbavoor and Kothamangalam, the number of their daily trips and their respective timings?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Two buses C. S. 1881 and T. V. R. 6072 have been allowed to conduct shuttle service between Kothamangalam and Perumbavoor. They are running 6 trips daily on the route. The timings sanctioned in respect of these 2 buses are given below :—

Timings sanctioned to bus C. S. 1881 to ply between Kothamangalam and Perumbavoor.

Time allowed 40 minutes. Distance 12 miles. Speed 20 miles

Kothamangalam Dep.	Perumbavoor Dep.
6-45 A. M.	8-00 A. M.
9-00 ,,	10-15 ,,
11-15 ,,	12-15 P. M.
1-30 P. M.	2-30 ,,
4-15 ,,	5-00 ,,
6-00 ,,	7-00 ,,

Timings sanctioned to bus T. V. R. 6072.

5-45 A. M.	7-00 A. M.
8-00 ,,	9-15 ,,
10-30 ,,	11-30 ,,
2-00 P. M.	3-00 P. M.
4-30 ,,	5-30 ,,
6-30 ,,	7-30 ,,

MR. K. P. KOCHUKORA THARAKAN: പെരുമ്പാവൂർ—കോതമംഗലം ലൈനിൽ രണ്ടു ബസ്സുകൾക്ക് പെർമിററ് കൊടുത്തു എന്നു പറയുന്നു. അതു് എന്നു കൊടുത്തു എന്നു പറയാമോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: I claim notice, Sir.

Suspension of Mr. V. K. George.

242. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state whether at any time in 1115, Mr. V. K. George B. A., the Inspector of Eraniel was suspended until further orders ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Yes.

MR. K. NARAYANAPERUMAL NADAR: May I know why Mr. George was suspended until further orders ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: It was found that there were irregularities in the discharge of his departmental duties.

MR. K. NARAYANAPERUMAL NADAR: May I know the nature of his irregularities ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: The matter is *sub judice* departmentally and I am afraid I may not be able to divulge the nature of the irregularities to the honourable member.

Labour Unions.

243. ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the number of labour unions registered in Travancore:

(*b*) the number of such unions registered during the years 1113 and 1114 M. E.; and

(*c*) whether these unions are working properly ?

MR. C. KUMARA DAS (*Director of Industries and Registrar of Trade Unions*):

(*a*) 23

(*b*) 1113—14
1114—15

(*c*) Yes.

Factory Labour Strikes.

244. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) the number of Factory labour strikes that took place in the State during the year 1114;

(*b*) whether they have made any enquiry into the reason therefor; and

(*c*) if so, the results of the enquiry ?

MR. C. KUMARA DAS: (*a*) 26.

(*b*) & (*c*) No formal enquiry was conducted by Government. The situation was brought under control by the joint efforts of the Magistracy and the Police.

MR. P. KUNJUKRISHNAN: May I know whether no proper enquiry was instituted because the situation was brought under control?

MR. C. KUMARA DAS: By the intervention of the Magistracy and the Police they were able to find out more or less the reasons which caused the strikes and by persuation they were able to come to an understanding. Therefore it was not found necessary to have another enquiry.

MR. P. KUNJUKRISHNAN: What were the chief reasons?

MR. C. KUMARA DAS: Increase in wages, alleged victimisation of some of the members of the union because they had joined the union.

MR. S. NARAYANA PILLAI (*Quilon* cum *Kottarakara*): May I know the terms of the settlement that was arrived at with regard to the strike in the A. D. Cotton Mills, Quilon?

MR. C. KUMARA DAS: The management promised to look into the matter of the increase in the wages.

MR. S. NARAYANA PILLAI: May I know whether the terms were agreed to?

MR. C. KUMARA DAS: The factory was closed after the strike and it was only recently opened. We are not aware of what has happened since.

Labour Disputes.

245. ***MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(*a*) the number of labour disputes in Quilon, Alleppey and Manavalakurichi:

(i) in 1113,

(ii) in 1114;

(*b*) the number of strikes that took place in the said three places with the names of the factories; and

(*c*) the steps taken for the settlement of the strikes?

MR. C. KUMARA DAS:

	Quilon.	*Alleppey.*	*Manavalakurichi*
(*a*)			
1113	Nil.	Nil.	1
1114	5	1	Nil.

(*b*) Two strikes at Quilon, the factories concerned being:

One strike at Alleppey the factories concerned being:

One strike at Manavalakurich in the Travancore Minerals Company.

(1) A. D. Cotton Mills.	1. Alleppey Company.
(2) India Nut Company., Ltd.	2. Aspinwall & Co.
	3. Bombay Co.
	4. Coir Yarn & Textiles.
	5. Darragh Smail & Co.
	6. Madura Co.
	7. Pierce Leslie & Co.
	8. Volkart Bros.
	9. William Goodacre & Sons.
	10. Empire Coir Works.
	11 Modern Agency.
	12. General Supplies Agency.
	13. S. Pitchu Iyer & Sons.
	14. Coir Floor Furnishing Co.
	15. George Peter & Co.
	16. Gangadhara Iyer & Co.
	17. Kerala Coir Manufacturing Co.
	18 Kunchacko & Co.
	19. E. Bout & Co.
	20. Calleghan's Coir Works.
	21. Eastern Produce Co.
	22. Commercial Emporium.
	23. E. T. Adima & Sons.

(c) Amicably settled by the intervention of the District Magistrate.	The employers and the labourers came to a mutual settlement among themselves.	Amicably settled by the District Magistrate.

MR. P. KUNJUKRISHNAN: May I know whether the Director of Industries has inspected any of these factories?

MR. C. KUMARA DAS: I have inspected some of them.

MR. P. KUNJUKRISHNAN: May I know how many he has inspected?

MR. C KUMARA DAS: I have inspected three and the Inspector of Factories has inspected half a dozen.

MR. P. KUNJUKRISHNAN: How many factories are there.

MR. C. KUMARA DAS: There are about 30.

MR. P. KUNJUKRISHNAN: May I know whether Government is aware of the unhealthy conditions in which the labourers are working?

MR. C. KUMARA DAS: Yes, Sir.

MR. P. KUNJUKRISHNAN: May I know what steps have been taken by Government to remedy the defects?

MR. C. KUMARA DAS: A preliminary enquiry has been made and Government are considering the question of remedying the defects.

Labour in Cashewnut Factories.

246. ***MR. P. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether they are aware of the peculiar condition of labour in cashewnut factories in the State: and

(*b*) what steps they have taken so far, for the improvement of labour in these factories?

MR. C. KUMARA DAS: (*a*) Yes.

(*b*) The matter is under consideration.

Full-time Labour Commissioner and full-time Inspectors.

247. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state why a full-time Labour Commissioner and full-time Inspectors are not appointed here as in British India?

MR. C. KUMARA DAS: The appointment of full-time officers is not found necessary now.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any labour union in Travancore recommended the appointment of a full-time labour tribunal?

MR. C. KUMARA DAS: No, Sir.

Appointment of Chief Inspectors of factories and Inspectors of factories.

248. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether the appointments of Chief Inspectors of factories and Inspectors of factories have taken place after the Travancore Factories Act came into force; and

(*b*) if the answer to part (a) is in the affirmative, the number and names of factories inspected by them?

MR. C. KUMARA DAS: (*a*) Yes. The Chief Inspector and the Inspectors have been appointed.

(*b*) 55 factories were inspected. The names are given in the *list appended.

MR. K. NARAYANAPERUMAL NADAR: May I know the names of the Chief Inspector and the Inspectors of Factories?

MR. C. KUMARA DAS: The Chief Inspector is Mr. A. R. Krishnan and the Inspectors of Factories are Mr. K. Padmanabha Pillai and Mr. Chacko Kuruvilla.

Applications for licenses for arms and ammunitions.

249. ***MR. KOTTALIL P. ABRAHAM** (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table a statement giving the following particulars in regard to applications for licenses for arms and ammunitions received by the District Magistrates of Kottayam, Quilon and Trivandrum:—

(*a*) the number of applications received in 1114 for renewal of licenses for 1115 or succeeding years;

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* *Vide* Appendix I, page 533.

[Mr. Kottalil P. Abraham.]

(b) the date when the first application for renewal was received in 1114;

(c) the date when the last application for renewal was received in 1114;

(d) the number of applications which have been disposed of until 15-3-1115;

(e) the first date in 1115 on which any renewal application for 1115 was disposed of; and

(f) the reason for delay, if any, in granting renewals of licenses?

MR. M. K. NILAKANTA AIYAR: The *statement is laid on the table.

Aluminium Factory at Alwaye.

250. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state whether any Aluminium Company from outside Travancore has applied for current from the Pallivasal Hydro-Electric Works for working an Aluminium Factory at Alwaye or at any other place in the neighbourhood?

MR. M. K. NILAKANTA AIYAR: Yes.

Supply of stationery articles to the Police stations at Trivandrum, Quilon, etc.

251. *MR. S. NARAYANA PILLAI: Will the Government be pelased to state the quantity of foolscap paper, carbon paper and copying pencils supplied by the Stationery Department to the Police Stations at Trivandrum (Chalai), Quilon (Town), Alleppey and Kottayam?

MR. M. K. NILAKANTA AIYAR:

The supplies made during 1114 M. E. are:

Station.	*Foolscap paper.*	*Carbon paper.*	*Copying pencils.*
Trivandrum (Chalai)	7½ Rms.	92 shts.	12 Nos.
Quilon (Town)	2¼ ,,	70 ,,	3 ,,
Alleppey	4¼ ,,	85 ,,	3 ,,
Kottayam	5½ ,,	80 ,,	13 ,,

MR. S. NARAYANA PILLAI: May I know whether the supply of stationery articles is grossly insufficient?

MR. M. K. NILAKANTA AIYAR: Government are not aware that the supply of stationery is insufficient.

Suspension of Mr. Govinda Pillai, the acting Police Inspector of Edalakudi.

252. *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state:

(a) whether Mr. Govinda Pillai, the acting Police Inspector of Edalakudi in 1112 or 1113 or 1114 was suspended until further orders;

(b) the reason for his suspension;

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*Vide Appendix II, page 534.

(c) whether Mr. Govinda Pillai submitted any memorial to the Government for the cancellation of his suspension; and

(d) whether he is drawing any pay from the Government?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) Yes.

(b) For official irregularities.

(c) Yes.

(d) No.

Assault among the Police Constables in the Town Police Station, Quilon.

253. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(a) whether there was an assault among the Police constables in the Town Police Station, Quilon, during Karkatakom 1114 and whether any case in respect of that incident has been filed in court;

(b) if so, the action taken in the matter;

(c) if assaults of the above kind have taken place, the number of times they occurred, the name and number of the constables who were assaulted and the date on which the assaults took place; and

(d) if such assaults have taken place, the names and numbers of the constables who were the aggressive parties in the assault?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) On 16-12-14, P C. 1266 Palani was assaulted by 8 other Police constables within the premises of the Quilon Town Police Station. This formed the subject matter of Crime No. 101/14 of the Quilon Taluk Station. No case has been filed in court in respect of this incident.

(b) The above case was investigated by the Assistant Superintendent of Police, Alleppey, and as departmental action was taken against the accused, the case was referred.

(c) No assault of the above kind has taken place at Quilon before. In this particular instance, the Constable assaulted was No. 1266 Palani and the date of the assault is 16-12-1114.

(d) The accused in the case are (1) P. C. 1098 Sankara Pillai, (2) P. C 1437 Raghava Marar, (3) P. C. 2295 Joseph, (4) P. C. 873 Vasu Pillai, (5) Special Constable 11 Parameswaran Pillai, (6) Special Constable 152 Govindan, (7) Special Constable 62 Thankappan, (8) Special Constable 78 Chellappan Pillai.

Transfer of certain constables from the Town Police Station, Quilon.

254. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(a) whether the Quilon D. S. P. had ordered the transfer of certain constables from the Town Police Station, Quilon, during 1114;

(b) if such an order had been issued, whether the transfers were effected; and

(c) if not, the person who is responsible for not giving effect to the order and the reason therefor?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) Yes.

(*b*) Yes, except in one case.

(*c*) The order in one case was not given effect to by the Town Inspector of Police. He is now not in service.

MR. K. P. KOCHUKORA THARAKAN: ഒരു ഇൻസ്പെക്ടരെ സർവീസിൽനിന്നും പിരിച്ചു വിട്ടു എന്നു പറയുന്നു. അങ്ങിനെ ചെയ്തിട്ടുള്ളതു ഡി. എസ്. പി. യുടെ ആർഡർ അനുസരിച്ച് പ്രവർത്തിക്കാത്തതുകൊണ്ടാണോ അതല്ല മററു വല്ല കാരണത്താലുമാണോ ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Partly on that account and partly on proof of certain delinquencies and defaults found against the Inspector.

MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertalla*): Was he given any opportunity to explain?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: One hundred per cent opportunities were given to him for his defence.

MR. N. NARAYANA KURUP: May I know the nature of the opportunities?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: He was asked to explain according to departmental procedure. He was given a hearing by the superior officers.

Revenue derived from various taluks.

255. ***MR A. K. KUMARAN VAIDYAN:** Will the Government be pleased to lay on the table a statement of the total revenue derived from each taluk showing separately the revenue derived from:—

(*a*) Land Revenue;
(*b*) Excise; and
(*c*) Total?

MR. M. RAMACHANDRA RAO: The information required could not be furnished as the period for which the statistics are required has not been specified.

Concessional registry of puduval lands.

256. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): Will the Government be pleased to state whether concessional puduval registry has now been sanctioned to any particular section of the Varnava community?

MR. M. RAMACHANDRA RAO: No.

Hardships of the members of the backward communities in the taluks of Pathanamtitta, Tiruvalla etc.

257. ***MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state whether it has been brought to their kind notice that the majority of the members of the backward communities in the eastern pakuthies of Pathanamtitta, Tiruvalla and Changanacherry are experiencing various hardships consequent on their having to reside in lands belonging to other people?

MR. M. RAMACHANDRA RAO: No.

MR. T. T. KESAVAN SASTRI : അടകുടികൾ കെട്ടി പാർത്തു വരുന്ന അധികൃതരെ അവിടെനിന്നും ഇറക്കി വിടുന്നതിന് വസ്തു ഉടമസ്ഥന്മാർ ശ്രമിച്ചു വരുന്നു എന്നുള്ള വിവരം ഗവണ്മെന്റിന്റെ ദൃഷ്ടിയിൽപ്പെട്ടിട്ടുണ്ടോ ?

MR. M. RAMACHANDRA RAO : ഇല്ല.

MR. T. T. KESAVAN SASTRI : അങ്ങനെ ചെയ്യുന്നു എന്നുള്ള സംഗതി ഗവണ്മെന്റിന്റെ ദൃഷ്ടിയിൽ വന്നാൽ അതിനു വേണ്ട നടപടികൾ നടത്തി ആ സാധുക്കളെ സഹായിക്കുന്നതിനു ദയവുണ്ടാകുമോ ?

MR. M. RAMACHANDRA RAO : അങ്ങിനെ ചെയ്യാം.

Applications for assignment of tarisu land in the Chemmanad pakuthi, Kunnatnad taluk.

258. ***MR. T. T. KESAVAN SASTRI** : Will the Government be pleased to state :

(*a*) whether applications have been submitted to the authorities by members of the Pulaya Community for assignment of *tarisu* land for homestead and farmstead, comprised in Survey No. 428/2 in the Chemmanad pakuthi, Kunnatnad taluk ; and

(*b*) if so, the action taken in respect of those applications?

MR. M. RAMACHANDRA RAO : (*a*) No. The Survey Number is a registered holding.

(*b*) This does not arise in view of answer to part (*a*).

MR. T. T. KESAVAN SASTRI : ആ സ്ഥലം ആരുടെ പേരിൽ പതിച്ചു കൊടുത്തു എന്നു പറയുന്നതിനു ദയവുണ്ടാകുമോ ?

MR. M. RAMACHANDRA RAO : I claim notice.

Central Co-operative Bank.

259. ***MR. KANNANTHODATH JANARDANAN NAIR** (*Karunagapally cum Kartikapally*) : Will the Government be pleased to state :

(*a*) the number and total amount of loans issued by the Centr Co-operative Bank to individuals in 1112, 1113 and 1114 ; and

(*b*) the number and total amount of loans issued by the Bank to Co-operative Banks and Societies in 1112, 1113 and 1114 ?

MR. M. RAMACHANDRA RAO (*Registrar of Co-operative Societies*) :

INDIVIDUALS.

(*a*) *Year.*	*No. of loans.*	*Total amount.*
1112	374	Rs. 2,25,789
1113	134	Rs. 56,485
1114	65	Rs. 38,037

[MR. M. Ramachandra Rao.]

(b)	Year.	BANKS. No. of loans.	Total amount.	SOCIETIES. No. of loans	Total amount.
	1112	16	Rs. 46,800	26	Rs. 32,390
			Total	42 loans of	Rs. 79,100
	1113	20	Rs. 2,03,250	14	Rs. 56,220
			Total	34 loans of	Rs. 2,59,470
	1114	4	Rs. 37,500	12	Rs. 28,400
			Total	16 loans of	Rs. 65,900

Dispensary in the Ceramic Works.

260. *MR. KANNANTHODATH JANARDANAN NAIR : Will the Government be pleased to state whether there is a dispensary in the Ceramic works at Kundara ?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: (*Surgeon General*) : Yes.

Statement, by caste, of the officers of the Medical Department.

261. *MR. THARIATHU KUNJITHOMMEN (*Muvattupuzha* cum *Deviacolm*) : Will the Government be pleased to lay on the table :

(*a*) a statement, by caste, of the officers in service in the Medical Department, receiving a pay of above Rs. 25 ; and

(*b*) a statement, by caste, of the acting and permanent appointments made in the Medical Department from the date on which the present head of that department assumed charge till the 1st Dhanu 1115 ?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: (*a*) and (*b*) *Statements containing the information are placed on the table.

District Court at Mavelikara.

262. *MR. P. NARAYANA PILLAI : Will the Government be pleased to state:

(*a*) whether any Government buildings are available for housing the District Court at Mavelikara ; and

(*b*) if not, whether any other building has been chosen for the purpose ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*) : (*a*) No.

(*b*) The matter is under consideration.

MR. P. NARAYANA PILLAI: May I know whether the Training School building may be made available for the purpose ?

MR. PUTHUPALLI S. KRISHNA PILLAI ; No. Sir.

MR. G. VELU PILLAI (*Karunagapally* cum *Kartikapally*) : May I know whether the establishment of the court is finally settled ?

MR. PUTHUPALLI S. KRISHNA PILLAI: It has not been finally settled.

MR. G. VELU PILLAI : May I know whether any private building has been inspected for the purpose ?

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* *Vide* Appendix. III Page.

MR. PUTHUPALLI S. KRISHNA PILLAI: The matter is under the consideration of Government, as has been already stated in the answer.

Handloom Weaving Industries.

263. ***MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state:

(*a*) whether a considerable section of the people of the State are engaged in handloom weaving industry;

(*b*) whether the handloom weaving industry requires protection and encouragement; and

(*c*) if so, whether any measures have been taken?

MR. C. KUMARA DAS: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

MR. P. KUNJUKRISHNAN: May I know the measures taken towards protection and encouragement of the handloom weaving industry?

MR. C. KUMARA DAS: The handloom weavers have been supplied with yarn at a cheaper cost. The competition from mill yarn has been minimised. The Government have already taken measures to provide yarn at reduced rates.

MR. P. KUNJUKRISHNAN: May I know whether yarn is at present available at cheaper rates?

MR. C. KUMARA DAS: Government have made arrangements with some firms to supply yarn at cheaper rates. That is the understanding which we have come to.

PRESIDENT: Necessary arrangements have been made in that direction.

MR. P. KUNJUKRISHNAN: May I know whether yarn could be obtained at cheaper rates at present in Travancore?

MR. C. KUMARA DAS: I have already said that Government have come to some understanding with a firm having dealings in Travancore. It is expected that the yarn could be had at cheaper rates.

MR. P. KUNJUKRISHNAN: May I know whether it is possible for Government to get at some such arrangement from the available firms in Travancore for the supply of yarn?

MR. C. KUMARA DAS: Government have made arrangements with a firm.

MR. P. KUNJUKRISHNAN: My question is whether Government are in a position to know about the reduced price of yarn from the markets available in Travancore and advertise it to the benefit of the handloom weaving industries?

MR. C. KUMARA DAS: That has already been done by Government.

MR. P. KUNJUKRISHNAN: May I know whether yarn is available at present at cheaper rates as a consequence of the arrangements made by Government so far?

PRESIDENT: Has that not been given publicity?

MR. C. KUMARA DAS: The Department has issued circulars to all the weavers known to them and some of them have replied that they are getting the yarn at cheaper rates.

MR. P. KUNJUKRISHNAN: My doubt is whether the Government have made any arrangement by which yarn could be obtained at cheaper rates by persons engaged in the handloom weaving industry in the State.

PRESIDENT: That is just what the department has done.

Industries in the State.

264. ***MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state what measures they have taken since the outbreak of the present war for fostering and organising industries in the State in the light of the new situation that has arisen?

MR. C. KUMARA DAS: (1) Special arrangements were made for the supplies of certain chemicals required for industrial purposes.

(2) Yarns were arranged for and procured at advantageous rates.

(3) Adequate arrangements were made for increasing the output of the Ceramic Factory.

(4) Investigations are being made about the possibility of manufacturing cement and bleaching powder in the State.

(5) Negotiations are in progress with reference to the installation of an aluminium production plant.

Ceramic Factory at Kundara.

265. ***MR. S. NARAYANA PILLAI:** Will the Government be pleased to state:

(*a*) the original estimate for the chimney at the Ceramic Factory at Kundara;

(*b*) whether the chimney is cracked in several places; and

(*c*) the amount spent in repairing the same?

MR. C. KUMARA DAS: (*a*) Rs. 11,344.

(*b*) There are a few cracks, and steps have been taken for remedying this.

(*c*) Rs. 1,134.

Mining operations at the Clay Refining and Porcelain Factory at Kundara.

266. ***MR. P. NARAYANA PILLAI:** Will the Government be pleased to state:

(*a*) under whose supervision the mining operations at the Clay Refining and Porcelain Factory at Kundara are being conducted; and

(*b*) his qualifications for this post?

MR. C. KUMARA DAS: (*a*) Mr. Bankey Beharilal C. I. S. M., Mining Supervisor.

(*b*) He is a diploma holder of the Government of India School of Mines, Dhanbad and has experience in Mining operations, assaying, ore dressing, underground field work and surveying.

Visha Vaidyasalas in Konni.

267. *MR. K. G. GOVINDAN* (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) how many *Visha Vaidyasalas* there are in Konni;

(*b*) the number of years during which these *Vaidyasalas* were working;

(*c*) whether any of these *Vaidyasalas* get grant from Government;

(*d*) if so, the name of that *Vaidyasala*;

(*e*) whether the people of Konni have not made representations for the purpose of grant to and recognition of the Ayurveda Mahilamoni Vaidyasalamoni at Konni; and

(*f*) whether Government have done anything in connection with those representations?

MR. G. NARAYANAN TAMPI (*Secretary to Government*): (*a*) One.

(*b*) Nearly four years.

(*c*) No.

(*d*) In view of the answer to part (*c*), this does not arise.

(*e*) Yes.

(*f*) State Recognition was awarded in Makaram 1115.

Ayurvedic Dispensary in the Kottayam Division.

268. *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state:

(*a*) whether there is any Ayurvedic dispensary (grant-in-aid) in the Kottayam Division; and

(*b*) if the answer is in the negative, the reasons therefor?

MR. G. NARAYANAN TAMPI (*a*) There are 43 grant-in-aid Ayurveda Vaidyasalas in the Kottayam Division.

(*b*) The question does not arise.

MR. KANNANTHODATH JANARDANAN NAIR: My question is, will the Government be pleased to state whether there is *any Ayurvedic dispensary* (grant-in-aid) in the Kottayam Division, and the answers is, there are 43 grant-in-aid *Ayurveda Vaidyasalas* in the Kottayam Division. May I know whether the presumption is that because there are Ayurveda Vaidyasalas in the Kottayam Division, that Division does not require a grant-in-aid dispensary?

MR. G. NARAYANAN TAMPI: No such implication, Sir.

MR. KANNANTHODATH JANARDANAN NAIR: Then, what exactly is the meaning of that statement?

MR. G. NARAYANAN TAMTI: The meaning of the answer is that there are 43 grant-in-aid ayurveda vaidyasalas in the Kottayam Division.

MR. KANNANTHODATH JANARDANAN NAIR: May I know Sir, whether there are ayurvedic grant-in-aid dispensaries in the Kottayam Division?

MR. G. NARAYANAN TAMPI: Ayurveda Vaidyasalas are dispensaries and dispensaries are vaidyasalas?

Ayurvedic Manuscripts.

269. **MR. VARKALA K MADHAVAN** (*Chirayinkil* cum *Nedumangad*): Will the Government be pleased to state:

(*a*) the number of Ayurvedic manuscripts published by the Vaidya Pandit appointed for the purpose since 1108;

(*b*) the number of copies printed of such published manuscripts; and

(*c*) the number of copies sold?

MR. G. NARAYANAN TAMPI: (*a*) Parts I and II of *Chikilsamanjari.*

(*b*) Five hundred copies each.

(*c*) 246 copies of Part I and 128 copies of Part II.

Thondara bridge.

270. ***MR. KOTTALIL P. ABRAHAM**: Will the Government be pleased to sttae;

(*a*) whether the Thondara bridge (a bridge on the M. C. Road between Tiruvalla and Chengannoor) is notified by the P. W. D. to be unfit for loaded bus traffic;

(*b*) if so, the date when it was so notified;

(*c*) whether the condition of the bridge was examined or tested by any qualified Engineer at any time subsequent to such notification; and

(*d*) if the answer to (*c*) be in the affirmative, the date when it was last tested?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) On 20-6-1939.

(*c*) Yes. Since the above date the bridge was inspected several times by the Chief Engineer and the Executive Engineer, Kottayam.

(*d*) 8-5-1940

MR. KOTTALIL P. ABRAHAM: May I know whether the bridge is now safe for vehicular traffic?

MR. M. S. DORASWAMI AIYANGAR: It is.

Dam for Pallimon.

271. ***MR. S. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether they have received representations from the people of Pallimon, Kanjirathingil, Karivila, in Nedumpana pakuthi, Quilon taluk praying for the putting up of a dam at Pallimon across the Nedumonkavu stream and, if so, the dates thereof during the years 1114 and 1115;

(*b*) whether the P. W. D. have made enquiries as to the need for such a dam; and

(*c*) whether any and, if so, what action has been taken in the matter?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes, one in 1114 and another in 1115 on 9-1-1940.

(*b*) Yes.

(*c*) Estimates are prepared and the proposals for both irrigation and drainage facilities are being investigated further.

Road from Ramankulangara to beach on the Neendakara-Quilon road.

272. *MR. P. KUNJUKRISHNAN: Will the Government be pleased to state:

(a) whether the public have constructed a road from Ramankulangara to beach on the Neendakara-Quilon road and handed it over to Department;

(b) whether it is cartable at present; and

(c) if not, the reason therefor?

MR. M. S. DORASWAMI AIYANGAR: (a) No. Only a part of the road has been opened.

(b) No.

(c) The road has not been completely opened by the people and the required lands have not been surrendered by them

Champakulam river.

273. *MR. N. NARAYANA KURUP: Will the Government be pleased to state:

(a) the length of the Champakulam river from Kottara thodu to Nedumudy Kottaram; and

(b) whether that distance along the western side of the river can be made a pathway, if several foot-bridges are put across small canals running between compounds?

MR. M. S. DORASWAMI AIYANGAR: (a) About 2 miles and a furlong.

(b) Yes.

MR. N. NARAYANA KURUP: May I know the number of foot bridges to be put up in that canal?

MR. M. S. DORASWAMI AIYANGAR: About 18 foot bridges are needed in that connection.

MR. N. NARAYANA KURUP May I know the approximate cost for that purpose?

MR. M. S. DORASWAMI AIYANGAR: The cost has not yet been estimated.

Puthur-Ezhukone road.

274. *MR. P. KUNJUKRISHNAN: Will the Government be pleased to state:

(a) whether Puthur-Ezhukone road has been constructed and made cartable by public and handed over to Government;

(b) whether, for want of a culvert near Puthur on the road, it is not cartable at present;

(c) whether any steps have been taken to make it cartable; and

(d) if not, why not?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes, but it has not been handed over.

(b) The road is cartable throughout except in the stream at 5/6 during heavy rains.

(c) and (d) Do not arise in view of the answer to (a) and (b).

MR. P. KUNJUKRISHNAN: May I know whether the necessity of a culvert has been brought home to the department?

MR. M. S. DORASWAMI AIYANGAR: It is necessary that a culvert has to be constructed.

MR. P. KUNJUKRISHNAN: May I know whether steps have been taken for that purpose?

MR. M. S. DORASWAMI AIYANGAR: No steps have been taken as yet because the road has not been handed over to us.

MR. P. KUNJUKRISHNAN: May I know why the acquisition of the road has not been attended to?

MR. M. S. DORASWAMI AIYANGAR: Land acquisition proceedings are under progress.

Canal running from the Iron Bridge to Kallupalakadavu at Quilon.

275. ***MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state:

(*a*) whether they have received any representations from the public of Quilon praying for repairing and reshaping of the eastern bank of the canal running from the Iron Bridge to Kallupalakadavu at Quilon, so as to convert it into a comfortable foot path for the public; and

(*b*) what steps have been taken on the same?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) Steps are being taken to demarcate the limits of the canal poramboke with a view to ascertain the extent of lands which will have to be acquired for opening the pathway.

Arattu vazhi road in South Ariad.

276. ***MR. N. NARAYANA KURUP:** Will the Government be pleased to state:

(*a*) whether the estimate for Arattu Vazhi road in South Ariad, Ambalapuzha taluk has been sanctioned;

(*b*) whether the owners of lands have given statements before the Proverthicar evidencing their consent to surrender lands for the Arattu Vazhi road, free of compensation;

(*c*) if so, when it was given;

(*d*) whether the authorities concerned have taken possession of the lands surrendered;

(*e*) whether they have received any representation from the citizens, requesting to take up the work of construction this year;

(*f*) if so, what action has been taken on it; and

(*g*) whether the construction of the said road has been included in the relief work for Alleppey on account of war?

MR. M. S. DORASWAMI AIYANGAR (*Chief Engineer*): (*a*) No.

(*b*) Yes, except the owner of S. No. 114/5.

(*c*) From 20-2-1115 to 4-3-115.

(*d*) No.

(*e*) Yes.

(*f*) No action could be taken until all the lands are surrendered free of compensation.

(*g*) No.

Plague in the Factory Ward, Alleppey.

277. ***MR. N. NARAYANA KURUP** : Will the Government be pleased to state :

(*a*) the name of the Ezhava who died at Factory Ward, Alleppey, as a plague patient;

(*b*) the name of the house where he was dwelling at the time of affliction;

(*c*) the name of the ward where that house is situated;

(*d*) whether any death with plague has been reported in the Market ward;

(*e*) if the answer to part (*d*) is in the negative, why that ward has been declared to be a plague affected ward; and

(*f*) if any ward in the town of Alleppey, where no death due to plague was reported, or no case of plague has been reported, has been declared as a plague afflicted ward?

MR. M. K. GOPALA PILLAI (*Director of Public Health*) : (*a*) No one died of plague at the Factory Ward.

(*b*) and (*c*) These do not arise.

(*d*) No.

(*e*) The declaration was made with reference not to particular wards but the whole town of Alleppey.

(*f*) The whole of the Alleppey town was included in the declaration.

Plague in the Mullakkal Ward.

278. ***MR. N. NARAYANA KURUP**: Will the Government be pleased to state :

(*a*) the name of the person reported to have been afflicted with plague in the Mullakkal Ward;

(*b*) the name of the house in which he was living in Alleppey;

(*c*) how long he was laid up in that house afflicted with plague;

(*d*) on what date was he removed to the hospital;

(*e*) what was the duration of his life after he got the attack of plague;

(*f*) when he died;

(*g*) whether the authorities inspected the residence of the person at Mullakkal and did any sanitation work there; and

(*h*) if so, when and what did they do?

MR. M. K. GOPALA PILLAI: (*a*) Padmanabha Pillai.

(*b*) He does not appear to have had any place of permanent residence.

(*c*) He was laid up for a night on the verandah of a shop.

(*d*) On 15-5-1115.

(*e*) and (*f*) He died on 18-5-1115.

(*g*) and (*h*) The locality was inspected and the shop referred to and the shops near it and their premises were disinfected as soon as the case was diagnosed as plague.

Public market at Anchalamoodu.

279. *MR. S. NARAYANA PILLAI. Will the Government be pleased to state:

(a) whether they have acquired land for a public market at Anchalamoodu, Perinad, Quilon;

(b) the date on which the land was acquired; and

(c) whether any steps have been taken towards the establishment of the market?

MR. M. RAMACHANDRA RAO: (a) Yes.

(b) 12-11-1114.

(c) Yes.

MR. S. NARAYANA PILLAI: With reference to part (c) may I know the nature of the steps taken towards the establishment of the market?

MR. M. RAMACHANDRA RAO: Government have been addressed to sanction an estimate costing about Rs. 2,000 and so soon as that is got sanctioned the work shall be commenced.

Cattle markets in the taluks of Tiruvalla, Changanacherry and Kottayam.

280. *MR. T. T. KESAVAN SASTRI: Will the Government be pleased to state:

(a) the total number of cattle markets in the taluks of Tiruvalla, Changanacherry and Kottayam;

(b) of these, the number of private markets; and

(c) the income realised by the Government during 1114, from each of these markets?

MR. M. RAMACHANDRA RAO: (a) to (c) *A statement furnishing the required information is placed on the table.

Government Satram at Koothattukulam.

281. *MR. K. P. KOCHUKORA THARAKAN: Will the Government be pleased to state whether the Government Satram at Koothattukulam and its gate are always kept closed and locked and whether it is very difficult to find out its Watcher?

MR. M. RAMACHANDRA RAO: The answer is in the negative.

Shifting of the Kottuvally Pakuthi Cutcherry.

282. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(a) whether they have received any application for shifting the Kottuvally Pakuthi Cutcherry from Peruvaram to a more central place to the pakuthi; and

(b) if so, when?

MR. M. RAMACHANDRA RAO: (a) No.

(b) This does not arise in view of the answer to part (a).

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*Vide Appendix IV, page 536.

Ferry between Munambam and Maliankara.

283. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state whether they have enquired into the necessity of having a public ferry between Munambam and Maliankara in Parur taluk?

MR. M. RAMACHANDRA RAO: Yes. The question is under consideration.

Road connecting Dharmapuram road with Rajakamangalam road.

284. *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state whether the Division Peishkar, Trivandrum, has surrendered the lands necessary for the construction of a road connecting Dharmapuram road with Rajakamangalam road to the P. W. D. Department.

MR. M. S. DORASWAMI AIYANGAR: No.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the Chief Engineer has made arrangements for getting possession of neossary lands for a road connecting Dharmapuram road with Rajakamangalam road?

MR. M. S. DORASWAMI AIYANGAR: The question has been taken up and the land acquisition is under progress.

Puliyoor-Chennithalai Road.

285. *MR. PULIYOOR T P. VELAYUDHAN PILLAI: With reference to the answer to the interpellation No. 286 reported at page 1122 of Vol. XII of the Sri mulam Aseembly Proceedings, will the Government be pleased to state:

(*a*) the steps taken subsequently for the improvement of the Puliyoor-Chennithalai road, *via* Ennacadu;

(*b*) the present condition of of the wooden bridge referred to in the answer; and

(*c*) the action taken for the construction of the bridge after scrutiny of the estimate for Rs. 2,600 by the Chief Engineer as stated in the answer?

MR. M. S. DORASWAMI AIYANGAR: (*a*) An amount of Rs. 518 has since been spent for the improvement of the road.

(*b*) The bridge is now fit for pedestrian traffic, but not for cart traffic.

(*c*) The estimate is being got revised as per the requirements.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from Government whether the people of the locality have made this particular road at the month of Meenam at their own cost?

MR. M. S. DORASWAMI AIYANGAR: Yes, they have done it.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the approximate cost incurred by the public in that connection?

MR. M. S. DORASWAMI AIYANGAR: That has not been estimated.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know in which year Rs. 518 was spent towards improvement on this particular road?

MR. M. S. DORASWAMI AIYANGAR: Three or four years back.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason why, subsequent to that, no amount has been spent on the improvement on this particular road ?

MR. M. S. DORASWAMI AIYANGAR: The road has not yet been properly taken over by the Department.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I may inform the member that this road was maintained by the department for a very long time.

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then may I know for what purpose the estimate is being revised at present ?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

Road from Ala to Kodukulanji road.

286. **MR. PULIYOOR T. P. VELAYUDHAN PILLAI:** Will the Government be pleased to state:

(*a*) whether any representation has been received by the Government or the department for taking over under departmental maintenance the road from Ala to Kodukulanji road, 4th mile, 8th furlong;

(*b*) the steps taken in the matter; and

(*c*) whether this part of the road has been cut open by the public of the locality at their cost ?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) Steps are being taken for formally acquiring the lands surrendered by the people and declaring the same as poramboke.

(*c*) Yes.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the year when the lands were surrendered by the public for the purpose of this road ?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

Communal representation in the Municipal services.

287. ***MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state whether the principle of communal representation is followed in appointments in the Municipal services ?

MR. G. NARAYANAN TAMPI: No; but the Municipalities have been instructed that "Other things being equal those belonging to the inadequately represented communities should be preferred."

Appendix I.

Vide Answer to Question No. 248.

NAMES OF FACTORIES INSPECTED.

1. Vazhathopu Oil Mill, Alleppey.
2. Bala Skhandananda Oil Mill, Alleppey.
3. Malabar Copra Oil Mill and Trading Corporation, Ltd., Alleppey.
4. John Mathew Oil Mill, Alleppey.
5. P. J P. G. Oil Mills, Alleppey.
6. Sri Krishna Oil Mill, Alleppey.
7. Chungam Oil Mill Alleppey.
8. Pothen Joseph and Sons, Oil Mill, Alleppey.
9. K. S Gangadara Iyer and Co, Coir Factory, Alleppey.
10. General Supplies Agency Coir Factory, Alleppey.
11. The Commercial Emporium Coir Factory Alleppey.
12. A. V. Thomas and Co., Coir Factory Alleppey.
13. Peirce, Leslie and Co., Coir Factory, Alleppey.
14. Aspinwall and Co, Coir Factory, Alleppey.
15. Volkart Brothers, Coir Factory, Alleppey.
16. Darragh Small and Co., Coir Factory, Alleppey.
17. D. L. V. Cashew Factory No. 1, Kolloor Vila.
18. K. S. Narayanaswamy and Co, Cashew Factory, Chathannoor
19. Chockanad Estate Tea Factory, K. D. H. P. Co., Munnar.
20. Periavurrai Tea Factory, do. do.
21. Nullatanni Tea Factory, do do.
22. Palkulam Salt Pans.
23. T. V. Krishna Iyer's Salt Pans.
24. Ceramic Factory. Kundara.
25. Punalur Paper Mills, Ltd., Punalur.
26. Thomas Stephen and Co., Tile Works, Quilon.
27. S. G. and Sons. Tile Works, Quilon.
28. United Coir Factory, Kanjiramchira.
29. The Travancore Mercantile Corporation, Kanjiramchira.
30. Charangad Coir Manufacturing Co. Charangad,
31. V K. Kochu Pillai's Coir Factory, Charangad.
32. Kannimattam Coir Works, Velorvattam.
33. Cocoa Carpet and Rug Manufacturing Co, Kalavamkode.
34. Royal United Carpet Factories Ltd., Aroor.
35. Alleppey Engineering Co, Alleppey
36. Modern Mechanical Engineering Works, Alleppey.
37. R and E Moreyara Engineering Works, Alleppey.
38. M. L Varkey Oil Mills, Alleppey.
39. Coir Floor Furnishing Co, Alleppey.
40. Kunjacko and Co, Vazhicherry, Alleppey.
41. S. N. V. Industrials, Alleppey.
42. The Crown Shearing Factory, Alleppey.
43. The United Shearing Factory, Alleppey.
44. The Modern Agency, Alleppey.
45. E Bout and Co, Alleppey.
46. Kerala Coir Manufacturing Co., Alleppey
47. Eastern Produce Co., Alleppey.
48. Alleppey Co., Alleppey.
49. Indian Coir Manufacturing Co, Alleppey.
50. Imperial Coir Industrials, Alleppey.

APPEDNIX I—(*contd*).

51. Mohamed and Kunjali Co., Alleppey.
52. Ebrahim Tambi Adima and Sons, Alleppey.
53. Callaghans' Coir Works, Alleppey.
54. C. George Peter, Coir Works, Alleppey.
55. S. Pitchu Iyer and Sons, Alleppey.

Appendix II.

Vide Answer to Question No. 249.

Statement showing particulars in regard to applications for licenses for arms and ammunition received by the District Magistrates of Kottayam. Quilon and Trivandrum.

(a)	Trivandrum	...	451
	Quilon	...	282
	Kottayam	...	1536
(b)	Trivandrum	...	26-11-1114
	Quilon	...	13-11-1114
	Kottayam	...	26-10-1114
(c)	Trivandrum	...	30-12-1114
	Quilon	...	31-12-1114
	Kottayam	...	31-12-1114
(d)	Trivandrum	...	196
	Quilon	...	All the applications received up to 31-12-1114 were disposed of.
	Kottayam	...	612
(e)	Trivandrum	...	13-2-1115
	Quilon	...	8-1-1115
	Kottayam	...	5-1-1115
(f)	Trivandrum	...	The question of renewal of licenses for 1115 was taken up only on 15-1 1115 owing to the Political situation.
	Quilon	...	No delay has been caused in granting the renewal of licenses beyond the time required for making the necessary enquiry in the applications.
	Kottayam	...	Do. Deficiency in fees paid and other technical defects which remained to be rectified by correspondence have also contributed to the delay.

Appendix III.

Vide Answer to Question No. 261.

Statement, by caste, of the officers of the Medical Department receiving a pay of above Rs. 25.

A.	HINDU.	
	1. Brahmin	43
	2. Nayar	119
	3. Kammala	4
	4. Nadar	1
	5. Ezhava	43
	6. Other Hindu	59
B.	MUSLIM	3
C.	CHRISTIAN.	
	1. Jacobite	41
	2. Marthomite	34
	3. Syriac Catholic	13
	4. Latin Catholic	59
	5. South India United Church	48
	6. Other Christian	24

Statement, by caste, of acting and permanent appointments made in the Medical Department from the date on which the present Head of that department assumed charge till Ist Dhanu 1115.

A.	HINDU	
	1. Brahmin	4
	2. Nayar	14
	3. Kammala	1
	4. Ezhava	8
	5. Other Hindu	4
B.	MUSLIM	4
C.	CHRISTIAN	
	1. Jacobite	6
	2. Marthomite	4
	3. Syriac Catholic	5
	4. Latin Catholic	4
	5. South India United Church	4
	6. Other Christian	10

Appendix IV.

Vide Answer to Question No. 280.

Statement showing cattle markets in the taluks of Tiruvalla, Changanacherry and Kottayam.

Serial No.	Name of taluk.	No. of cattle markets. (a)	No. of private cattle markets. (b)	Income derived.	Remarks.
			Name of market.	Rs. ch. c.	
1	Tiruvalla	6		30 0 0	1. Public market
			1. Puthencavu	10 0 0	
			2. Kalloopara	20 0 0	
			3. Kadapra (S. No. 56/2A.)	80 0 0	
			4. Kadapra (S. No. 60/1 etc.)	200 0 0	
			5. Venmony	20 0 0	
			Total	360 0 0	
2	Changanacherry.	8			1. (a public market newly opened in 1115)
			1. Vazhapally East	80 0 0	
			2. Puthupally	20 0 0	
			3. *Manimala	10 0 0	* Combined vegetable and cattle market. The income from the cattle section is not separately known.
			4. Vazhoor	20 0 0	
			5. *Kanjirapally South	10 0 0	* Combined vegetable and cattle market. The income from the cattle section is not separately known.
			6. Madapally	20 0 0	
			7. Vazhoor	20 0 0	
			Total.	180 0 0	
3	Kottayam	3		*285 0 0	* 1. Public market (Combined market. The Income from the cattle section is not separately known.)
			1. Kaipuzha		
			* 2. [illegible]	60 0 0	
			Total	345 0 0	* One private market newly opened in 1115.

STATEMENT ABOUT THE WAR.

DEWAN PRESIDENT: Order, order. I have deemed it essential that, meeting as this House does at a critical juncture in the world's affairs, this opportunity should be taken by me to inform my fellow-members of this Assembly, of the steps which have been taken in the present situation, of the steps which are necessary and of the work that is expected from all of us at this crisis. There can be no doubt that the present moment is epoch-making and the latest news is by no means re-assuring. Honourable members of this House must be aware of the fall of Paris, a city justly known as the *Wille de lumiere*, the city of light, a city which was the centre of the world's culture and refinement. Paris has fallen, and the French Ministry resigned last night and a military Government has taken its place and is contemplating a very serious step. Now, at this juncture it is hardly to be doubted that we are in many ways at the parting of ways so far as the history of the world is concerned and there are many persons who think that this is a testing time for humanity. Perhaps a new order is in the throes of coming to birth when a re-ordering of the world's life and the world's philosophy may be the final product of this terrible conflict. In this conflict and at this time what is needed is determined leadership and also conjoint work on the part of everybody to achieve the end, which is the attainment, at any cost or loss, of harmony and peace and the placing of the world on the basis of mutual comradeship without the enthronement of stark force as the guiding factor. In other words, what is taking place to day both in the combatant countries and in those up to now outside the ambit and the range of belligerency, is a world-wide conscription, not merely conscription in the narrow ordinary sense of a conscription of military forces, but a conscription of all resources, of industries, of labour, and it may be added also a conscription of the moral and the spiritual forces of humanity. Let us remember what is being done elsewhere. This morning's papers brought the news that far off Australia, farther away in some senses than India from the centre of conflict, has placed all industry and all property at the disposal of the State for the purpose of winning through and achieving the common aim.

We may now ask ourselves what the place of India is and of Travancore in particular, and I shall confine myself to a large extent to this State. In some senses, the crisis is much nearer India and this State than many people are aware. After all, the Italian Somaliland and Abyssinia are not far off Aden, and Aden is not far off from India. But I am not an alarmist. I do not believe that the actual physical conflict is near to us as some people affect to think. Nevertheless, we are in essence in the vortex of this struggle and at any moment the stroke may fall and it is up to us to devise ways and means for the purpose of waging this struggle when and if it arises, to deal with the struggle and surmount the obstacles with which we shall be confronted.

[Dewan-President.

Now in this connection it may not be out of place for me to refer to the remarkable pronouncement made by Mr. Amery quite recently. "The test of a country's readiness is the power to make great decisions, and it is for Indian leaders to-day to show that power now". This is a call to which we cannot but respond. He has added that in certain contingencies India may easily become the central point of the Empire's defence. This aspect cannot be ignored. His Excellency the Viceroy has made a fervent appeal. He has made an appeal in regard to the formation of Civic Guards and volunteer committees. He has made an appeal for the purpose of actively promoting the war savings movement and he has made an appeal for what may be called the re-organisation and the regimentation of effort, both financial and political. What Travancore has done is a matter which I cannot divulge fully. Travancore has contributed already as probably its first instalment the sum of Rs. 6 lakhs in cash. It has taken upon itself to carry out voluntarily certain contracts for materials which are essential for war. In this connection it is my painful duty to point out that, oblivious of the responsibility resting upon newspapers and public men and traders also, there has been found in this State a newspaper "Powra Prabha" which has published a warning that no person should now sell cocoanut shells or charcoal but should hold them up in order to get the best possible price. Another newspaper "Powra Dhwani" has also published an article almost to the same effect. The article in the "Powra Prabha" calls upon its readers and the public to hold up the shells because prices are bound to go up. I may at once say that the newspapers of that type and men of that type are trying to hinder war work. The utmost possible strictness will be exercised by the Government for the purpose of frustrating what may be called, the mischievous efforts of such persons. But generally speaking, the utmost possible co-operation has been forthcoming from all over the State in regard to such efforts as Government and agencies employed by Government have had to take for the purpose of war efforts. There are other directions in which Travancore desires to play a part and while at the present moment, I am not in a position to divulge the details I hope not many days will lapse before those details will become known. But this I can say, that surely both on land and sea the efforts of the Travancore Government to help in the prosecution of the war have been and will be substantial. The only reason why I do not go into the details at this moment is, it must be obvious to honourable members of this House, that if information of a certain type is made available it might be used by persons who might require it for sinister purposes. But as soon as it is wise and expedient to give those details they will be given.

Having said this, is it too much to emphasise that every one in this State will and should be anxious to demonstrate his readiness in all possible ways to do his bit? That can only be done by steadfast work and by instantaneous and spontaneous co-operation and by a readiness

to put the self second and the country and its future first. I therefore appeal to my fellow-members of this House and ask the representatives of the people at large and through them the people of Travancore that they should follow the example of our beloved Maharaja in making available all resources of money, of material, of labour, of work, of thought, of courage and of prayer in this critical juncture. I know that this part of the country is not as rich as some other parts of India. This is a land of the upper middle class and the lower middle class and the very circumstance that we are to-day going to consider the Debt Relief Bill shows that the economic status of this country is not stabilised or quite satisfactory. But nevertheless, in all these matters it is not the amount of contributions that tells. It is not the sum total that matters. It is the spirit of the offering and the dedication that are crucial and fundamental and in that spirit and in that dedication I have no doubt that the people of Travancore will yield to none elsewhere.

At the risk of being misunderstood and not with a view merely to point the finger of scorn or to make any censure, let me say that this is a time when one great leader has chosen to state with reference to a particular political organisation that that organisation cannot take part in any war measure such as those suggested by His Excellency the Viceroy nor can it become a party to the proposed Civic Guards and it is further stated that unless India is recognised as an independent country with all its natural consequences no steps should be taken for the purpose of helping England. At this time also a great man has said that unless one particular political party is regarded as the sole representative of India, no solution will be forthcoming. Such examples have been followed by other political groups. My point is that Travancore will and must decline to participate in any such doubts or any such attitude. But on the other hand, the part that Travancore will play is that of one, who whatever his difference may be with another party to a controversy, realises that a period of difficulty, a period of crisis, is not a period to give this kind of half-hearted and illusory sympathy. I feel sure of this State's attitude. Otherwise I should not have made this appeal to the Legislature, and through the Legislature to the country at large. The first thing that has to be done is, as I ventured to point out elsewhere, to arouse by constant work and exhortation the feeling in the Government of this country and in the people of this country that a land which cannot defend itself is not a country worth living in, that a country which will not take part in all those activities which make for manliness and self-reliance and vigour of thought and action is not a country worth fighting for. Let me repeat that independence or dominion status or any other political boon given to-day, given under conditions which make it impossible, if we know the fate of the countries outside India to retain such a gift and implement it adequately, will only be a source of humiliation and shame to those who accept the gift. India should and will be recognised if she will and can be made fit to defend herself as a major partner in the British commonwealth of nations. This will not be a gift but a realisation. It will not come otherwise. In order

[Dewan-President.]

to achieve this end every one in this country should show preparedness, not in un-Indian dreams and metaphysical subtleties, but in the practical philosophies of the work-a-day practical world and it is hoped that public opinion will be aroused, that public opinion will make itself vocal, that it will exact and demand that India has a right and a prerogative as well as a duty to defend herself, to defend those ideals for which India has stood throughout the ages and which the world has forgotten and which have been characteristic of Indian life and endeavour throughout the ages.

In these circumstances what shall we do in practice? The first thing that has to be done is to see to it that all those small voluntary organisations which communal bodies or other units, political and otherwise, have started must be put aside for the moment. There must be State-wide volunteering for work, for pioneer work, for defence work, for police work. Why do I insist on that? As I said at the beginning of my remarks, I do not believe that what may be called the actual proximity of war need be apprehended at least for some time. But I do think that there may be many subversive elements in this country—indeed I know there are—and just beyond this country and beyond this State which are only waiting for an opportunity to create trouble. The recent arrest of a noted communist leader has brought to light the ramifications of a wide-spread conspiracy which it is not possible to make public now, but it would be made public later. The associations and affiliations of the communist organisation, the funds which are collected for that organisation, the men who are intermingled with that organisation and who have clandestinely given many kinds of help to it-they are not only those who are immature or misled but people who ought to know better, people who are, some of them, in Government or quasi-Government service—all these things will come to light. India is not fortunately near the war zone. But India cannot afford to be weakened. This State cannot afford to be weakened by the insidious invasions of these socialistic and communistic doctrinaires who, without any idea of tranquillity, without any advertence to India's tradition and history, are out to create conflict for conflict's sake, conflagration for conflagration's sake and civil disturbance for its own sake. A time may come when it is up to the citizens of the country to defend themselves and their country. For that purpose, and if the call comes, I hope that young men and old, without distinction of age or community, will rally round His Highness to make it possible for us to release our military forces, to release our Armed Reserve Force, to release if necessary even the ordinary Police force for urgent and important work elsewhere. Therefore when His Highness asks for a Civic Guard as His Excellency the Viceroy has asked I trust that the response will be immediate, profund and striking. Then there is the necessity, not reckoning what may be called the actual amount, to raise funds to help all these great movements devoted

to the relief of the afflicted, wounded, and distressed all over the theatre of war. At present the Red Cross Society is doing wonderful work in this direction. There are institutions like the War Savings Funds, and new forms of investments, some bearing interest and some not bearing interest. All people can and should contribute their mite towards these organisations. I make an appeal that there should be no reluctance or half-heartedness shown in that matter.

It has recently come to the notice of Government that in certain places the British Post Office Savings Banks and to a much lesser extent, the Anchal Savings Banks, have experienced a run. I may say at once that there is not the slightest danger for necessity for mistrust in that matter because the financial and monetary position of India is perhaps at this moment not far below that of the United States of America which is the strongest in the world in this respect. And it may be seen, even in spite of the news that we are getting, that the gilt-edged securities are not fluctuating violently as they were on other occasions. At this juncture, in my humble opinion, it would be an act of treachery to withdraw the savings without adequate need. My fellow-members of the Legislature may recollect that England is to-day paying 100 per cent excess profit duty. It is paying something like 20 per cent income tax and in some cases nearly 75 per cent as super tax. The Magna Carta, the Bill of Rights and those fundamentals of British constitution of which we used to read so much in political text books are in essence non-existent. Now, no man's property is his but it is the State's. No man's person is his, but it is the State's. No man's resources are his, but they are the State's. That is the spirit in which England is working. We have not come to that position in our affairs. But it is in that spirit that we have to work. Therefore I call on the people of this State both from motives of prudence and on other and higher grounds not to be remiss in this matter. Now let us look at the prudential side of this matter. Suppose they withdraw all the money from these Savings Banks. Where are they to place the money? Are they to bury the money underground? This would be very dangerous if inquisitive and necessitous neighbours know something about it.

Advice is always welcome but sometimes mischievous. We find that a newspaper the other day suggested that the Coir Factories must be immediately assumed by the Government. It suggested further that Government must produce the coir and give work to all labourers who are now disbanded. I may assure my fellow-members of the Legislature that I am fully aware of the distress of the coir workers at this juncture. And nobody is more alive to their needs than myself. I may tell you that many steps have been taken, and some successfully, for the purpose of stimulating the purchase of coir twine and coir yarn by the velligerent countries. A deputation will proceed from this State to make some attempts in this direction which I trust will not be infructuous. Let us see who are the persons who have been buying coir mats. They are the lower middle class people and

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upper middle class of England, France, Holland and Denmark. Where are they now? They cannot afford now to buy any furniture. The people of these countries are flying from place to place for dear life. The whole trade is dislocated. The Government are aware of the gravity of the problem of unemployment of four to five thousand coir workers. We must get a good market for the sale of coir mats. That problem is under consideration and it is not an helpful solution to say that the Government should assume the management of those factories. If it is made possible for the factories to work for all the twenty-four hours and the labourers worked in many shifts where can we sell the productions? I trust the members of the public and the journals, when commenting on these matters, will bear the practical side of their exhortations also in their mind.

Then about labour situation. Here I am uttering a word of advice and also a word of warning. It is in the locality in and around Alleppey that we find that the roots of subversive organisations to which I have alluded earlier in the course of my remarks are strongest. The motive of these organisations is to undermine the existing state of our society and bring about the annihilation of capital and property as such. In other words, they follow the Marxist or the communist theory. But the holding of that opinion as a practical doctrine is a matter fraught with the greatest evil to the future of the country. I trust that labour will not play into the hands of such designing people who are hirelings. We know that they are hirelings. I hope that labour will realise that the Government's attempts will be to see that labour does not suffer, that it gets adequate wages, that if the particular industries in which it is engaged are not able to function, alternative modes of labour will be forthcoming and at any cost and sacrifice Government will see to it that the labouring population are not reduced to starvation.

Now with regard to the price control. We made attempts at some sacrifice to effect a control of prices. That attempt would have been more fruitful and beneficial if it had been widespread throughout the country. If was only in Travancore and in one or two other places that this was tried. We have lost money over that; but it was well spent because it prevented the sudden soaring up of prices. It is our hope that it may not be necessary for us to resort to such price control over again. There again it is for the people to realise that they have a right and a duty, a duty by their fellow-creatures and a right to get only what may be called the legitimate fruits of their agricultural or other work. Government hope that they will not be put to the necessity of resorting to stringent measures of price control which however will become inevitable if there is any profiteering projected or carried on.

I have done. I appeal to my fellow-members and through them to the world outside Travancore that propaganda for the purpose of releasing our might and our valour and our manliness, for the purpose of fighting to defend our country, is the first essential. The second essential is readiness at the risk of all discomfort and trouble to regiment our resources so that we might stand behind the serried ranks of

those who are fighting against great odds and in the face of overwhelming obstacles, in the face of a philosophy of force fighting for those imponderable things which make for happiness, for that sweetness and that light without which the world will be a dreary place to live. It is for us to pursue the philosophy of self-reliance and not of defeatism or day-dreaming. India never stood for peace as part of defeatism. India stood for peace, a peace with strength. It is that peace with strength which stands almost in danger of disappearance from the world. It is that cause for which great masses of men are fighting today against great odds. It is that cause on which we shall have to concentrate. If is that cause which will prosper. But it will not prosper unless India puts her shoulder to the wheel. India, after all, has meant a great deal in the past and there is now an opportunity for the renaissance of India. Personally I believe that if the world is in this plight at the present moment it is because the world has forgotten the lessons that India taught to the world ages ago. India can and should teach those lessons again. But to do so she must be powerful and mighty. Out of her strength will come victory; out of victory peace, and from peace will emerge sweetness and light.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery cum Peermade*): Sir, you have placed before us very many points of vast and deep importance. But I wish to speak only on one topic namely what you have said about the past that has to be played by the people of the country. Sir, I may assure you, that I am voicing the opinion of not only the members of this House, but also the opinion of every one of the citizens of this country, when I say that the people of this country stand cent. per cent. behind His Highness the Maharaja in the spirit with which His Highness has promised all possible help to the British Empire. The people of the country, as you said, are not rich. We have got our own difficulties. But of one thing we are proud: There has been no occasion in the history of this country when the people have failed the Royal Family in a crisis like this. We assure you, Sir, that all the resources of the people will be gladly placed at the command of the Government and we request you, Sir, to place this our humble promise at the sacred feet of His Highness the Maharaja.

STATEMENT LAID ON THE TABLE.

MR. S. SUNDARARAJAN: Sir, under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act II of 1108.

	Demand.	Amount in Rupees.	Particulars.
III.	16. Administration of Justice—E. Law Officers' Department	8,000	For payment of fees to Vakils in connection with the prosecution of the Travancore National and Quilon Bank case.
III.	Do. Conciliation Offices	16,713	For the continuance of the Conciliation Boards till 1-12-1115.

	Demand.	Amount in Rupees.	Particulars.
X.	25. Medical, Public Health and Sanitation, Rural Sanitation	1,100	For providing sanitary arrangements at Peermade in connection with the stay of His Highness the Maharaja at the place.
XI.	Capital Expenditure--Providing dustless surfacing to the M.S. Road	2,200	For entertainment of additional staff for the dustless surfacing of M. S. Road.
XIII.	18. Police	20,000	For the continuance of the temporary Armed Reserve for a further period of 3 months from 1st Dhanu 1115.
Do.	Do.	52,178	For the continuance of the temporary Armed Reserve (excepting the Trivandrum District Reserve), the special Police Force and 10 Shorthand Reporters up to the end of 1115.
XIV.	21. Agriculture and Fisheries	180	For the appointment of a Motor Driver and Cleaner for 6 months as a temporary measure in the Government Dairy Farm.
XV.	22. Industries—Administration of Labour Laws	1,200	For additional staff and T. A. for the Inspectors of Factories.
XVI.	Commercial Transport—Working Expenses	1,34,380	For expenditure in connection with the Trivandrum-Kottayam Transport service during the year.
XVI.	Debt Head—Investments on Reproductive works —Transport Department	1,00,000	For the purchase of six Chevrolet chassis and other second hand buses for the Transport Department.
XXVIII.	30. Scientific and Miscellaneous Departments	4,000	For entertainment of additional staff for Census work from 1st Medom 1115.
XXIX.	41. Miscellaneous	19,500	To meet increased demands under the head "41.—Miscellaneous—Miscellaneous"
XXXV.	D. H. Loan to the Port Conservancy Board—Cochin for Harbour works, etc.	1,44,633	For payment of this Government's share (one-third) payable during the current financial year 1939-40 towards the cost of the proposed construction of a ware-house in the wharf area on the Willingdon Island and for other Harbour Works during 1115.
XXXIV.	D. H. Other Loans	1,52,678	For grant of a temporary loan to the State Aided Bank of Travancore Ltd.

FINANCIAL BUSINESS.

Demand for Supplementary Grants.

I. Land Revenue and Taxes on Income.

Mr. M. RAMACHANDRA RAO : Sir, I move for a grant of Rs. 500 for additional T. A. to the Income Tax Department.

Sir, a sum of Rs. 3,100 was sanctioned for this purpose in the Budget for this year, out of which a sum of Rs. 513 had to be incurred on account of liabilities of the previous year on the same account. The expenditure during this year has been very carefully watched and yet this sum of Rs. 500 which was spent towards the account of last year was found necessary; I assure that the expenditure for this year will be kept under the sanctioned allotment.

PRESIDENT : The motion before the House is that Government be granted a sum of Rs. 500 by way of supplementary grant under Demand No. 1 Land Revenue and Taxes on Income.

The motion was put and carried and the grant was made.

IX. MEDICAL.

VAIDYASASTRA KUSALA DR. MRS. M. POONEN LUKOSE : Sir, I rise to move for a supplementary grant not exceeding Rs. 1,600 under Demand No. IX - Medical...

Mr. KAINIKKARA M. PADMANABHA PILLAI : Sir, on a point of order. We have not got the sheets of the Supplementary Demand.

PRESIDENT : Why? Is it so Mr. Secretary? Well, if this is so and if Honourable Members have not got copies of the demand, I shall take it up tomorrow. Will that be alright?

Mr. KAINIKKARA M. PADMANABHA PILLAI : Yes.

PRESIDENT : Order, order. The other supplementary grants will be moved tomorrow morning. Now, we will pass on to the other work. Mr. Secretary, there ought to be no room for this kind of complaint.

Mr. A. GUNAMONY (*Secretary*) **:** Yes, Sir.

LEGISLATIVE BUSINESS.

The Trivandrum City Municipal Bill.

(Second reading and further stages of—)

Mr. PUTHUPALLI S. KRISHNA PILLAI : Sir, I beg to move that the Trivandrum City Municipal Bill as reported by the Joint Committee be taken into consideration.

Mr. M. K. GOPALA PILLAI : I second it.

The motion was put and carried.

Clauses 1 and 2.

The motion that clauses 1 and 2 stand part of the Bill was put and carried.

Clauses 1 and 2 were added to the Bill.

Clause 3.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move that.

"In clause 3, after sub-clause (26) the following new sub-clause shall be inserted as sub-clause (27), renumbering the existing sub-clauses (27) to (37) as sub-clauses (28) to (38), namely—

"Place of public entertainment." "(27) 'Place of public entertainment' shall mean any place, enclosure, building, tent, booth or other erection, whether permanent or temporary, where music, singing dancing or any diversion or game, or the means of carrying on the same is provided, and to which the public are admitted either on payment of money, or with the intention that money may be collected from those admitted, otherwise than for a *bona fide* charitable purpose; and shall include a race-course, circus, theatre, music hall, billiyard room, bagattele room, gymnasium and fencing school."

Sir, one honourable member has made a proposal for an amendment to clause 366 for empowering the Council to frame bye-laws for regulating theatres and places of public entertainment. In the absence of a definition of the expression relating to public entertainments, it may be difficult to frame and enforce proper bye-laws. This amendment is therefore made in anticipation of the amendment to clause 366. I am satisfied that a motion for amendment to clause 366 would be necessary. This amendment is therefore moved.

MR. M. K. GOPALA PILLAI: Sir, I second it.

The amendment was put to vote and carried.

The motion that clause 3 as amended stand part of the Bill was put and carried.

Clause 3, as amended, was added to the Bill.

Clause 4.

The motion that clause 4 stand part of the Bill was put and carried.

Clause 4 was added to the Bill.

Clause 5.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN (*Neyyattinkara cum Trivandrum*): Sir, I have sent up two amendments under Clause 5. I request that I may be permitted to move both the amendments together in the following form.

"In Clause 5, add the following as sub-clause (2): renumbering sub-clause (2) as sub-clause (3).

"In addition to the Councillors referred to in sub-clause (1), Our Government may appoint a person or persons having special knowledge or experience of any subject relating to the municipal administration to be Special Councillor or Councillors for such subject. Every Special Councillor shall exercise the rights of a Councillor only in respect of the subject for which he is appointed, but he may attend any meeting of the Council and take part in the discussion of any other subject without the right of voting. There shall not be more than two Special Councillors on the Council at any time."

Sir, I am only copying this provision from the Madras City Municipal Act. The object of the amendment is quite clear. It is to enable the Government to lend the Council the services of their expert members like the Heads of Departments. The Council can then benefit itself by the services of the experts when some technical subjects come up before the Council. A concrete example may be taken. You might remember that recently a question relating to water cess, contribution to Government came up before the Council. The Council formed a certain opinion. It was forwarded to the Government. The Water Works Engineer, who was consulted in connection with that matter, differed. A sort of informal conference was then arranged with the representatives of the Council and the Water Works Engineer and the matter was finally settled. If, on the other hand, the Water Works Engineer had been present during the deliberations of the Council, much of this trouble could have been avoided. I do not think there will be any objection to accept a provision of this nature.

MR. C. P. GOPALA PANICKER (*Co-opted*): I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I am prepared to accept it.

PRESIDENT: Have you looked Into the actual wording of the amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes.

The amendment was put to vote and carried.

The question that clause 5 as amended, stand part of the Bill was put to vote and carried.

Clause 5 as amended was added to the Bill.

Clause 6.

The question that Clause 6 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 7.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I do not move the amendment standing in my name.

The question that Clause 7 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 8.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I am not moving the amendment.

The question that Clause 8 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clauses 9 & 10.

The question that Clauses 9 and 10 stand part of the Bill was put and crried.

The clauses were added to the Bill.

Clauses 11 & 12.

MR. S. NATARAJA PILLAI (*Co-opted*): I am not moving the amendment to Clause 11.

The question that Clauses 11 and 12 stand part of the Bill was put and carried.

The Clauses 11 and 12 were added to the Bill.

Clause 13.

MR. S. NATARAJA PILLAI: Sir, I beg to move "In Clause 13, delete the words "six hundred" occurring after "rupees" and substitute instead the words "five hundred." In the Bill as framed by the Government, they fixed Rs. 500 as the salary of the Commissioner. The Select Committee enhanced it to Rs. 600. I do not know the reasons that weighed with them in enhancing the salary of the Commissioner. The Council has fixed the figure as Rs. 500. We are now getting Tahsildars and officers of the first grade as Presidents; and they are paid Rs. 250 to Rs. 300. These officers have turned out excellent work and the Council had no complaint against them. On the other hand, there has been great appreciation in the case of many, especially rewards, and the Council, has from time to time, recorded their appreciation. If we could get, on this pay, efficient officers who co-operate with the Council and do great service to the city, I do not know why the salary should be enhanced to Rs. 600. On the other hand, the salary of Rs. 500 fixed by the original Bill will be amply sufficient. The policy elsewhere has been to fix the maximum salary as Rs. 500. I am sure that this House will be prepared to accept Rs. 500 instead of Rs. 600, especially in the case of an institution like the Trivandrum Municipality, which is not very strong financially. I do not say that we are bankrupts; but we have got plenty of schemes for which money is needed. So I say that this amount is sufficient. I therefore move, the amendment and request the House to accept it.

SAHIB BAHADUR P. S. MUHAMED (*Quilon cum Kottarakara*): I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, from the original proposal to provide for the post of an officer on Rs. 500, the Joint Committee, after great discussion, came to the conclusion that it ought to be raised to Rs. 600. The arguments that were advanced in support of the change made by the Joint Committee were these. The Commissioner is invested with very great and extensive powers under the Act. The administration of the municipal affairs will therefore have to be entrusted to a Commissioner of high status and experience. The honourable member who moved the amendment said that a Tahsildar or an officer of the grade of an ordinary Tahsildar who is now discharging the functions of the President, will be quite ample for the corporation. It may be that the present President will be a capable Commissioner, but that is no argument for lowering his pay. The future Commissioner under this Act will be entirely different from the President under the existing Act.

He will be an entirely different officer. As I said, the powers that are being vested in him are such that an officer of the grade of a Tahsildar would be insufficient. In practice we will require a high salaried officer with considerable experience. Is it not therefore in the interests of the Municipality that the maximum limit should be raised by at least Rs. 100? The Peishkar of a Division is an officer who is to get Rs. 500-700 and the intention or rather the idea of the Joint Committee was that it must be an officer some what of that grade. After all it is only an enabling power that is given by this section. It is stated—not exceeding Rs. 600. If the Municipality or the Government think that it is only an officer on Rs. 300 that should be appointed they can appoint only an officer of that grade. But on the other hand if for the purpose of discharging the functions devolving on the Commissioner an officer of a higher status must be appointed there must be the power to do so and therefore the maximum limit has been raised to Rs. 600. I leave the matter to the decision of the House. Sir, I was for Rs. 500 in the beginning, but the majority opinion prevailed.

PRESIDENT: The honourable member is not entitled to reveal what happened in committee.

The amendment was put to vote and carried.

The question that clause 13 as amended do stand part of the Bill was put and carried. The clause as amended was added to the Bill.

Clauses 14 to 48.

As the amendments given notice of by members were not moved, the question that Clauses 14 to 48 inclusive do stand part of the Bill was put and carried. The clauses were added to the Bill.

Clause 49.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I request that I may be permitted to make some changes in the form of the amendments sent by me. That is to say, in sub-clause (b) of Clause 49 for the words, letters and brackets "in Clause (a), (b) and (c)" the following words letters and brackets may be substituted, namely "in Clause (a), (b), (c), (d) and (e)."

Under the existing Municipal Act persons who are qualified to vote are enumerated in the rules framed under the Act. The persons who are qualified to vote are enumerated in Rule 4 and they are:

(a) persons who own buildings or lands situated within the limits of the Municipality and who are liable to pay a tax to the Municipal Council on such buildings or lands amounting either separately or in the aggregate to one Rupee per annum and upwards provided that such ownership is evidenced by registration in the Municipal books.

(b) Persons who are liable to pay a tax under Schedule A of the Regulation.

(c) Government pensioners drawing a pension of Rupees ten per mensem and upwards.

(d) Persons drawing a salary of Rupees twenty per mensem and upwards.

[Mr. Murukkumpuzha V. Kunjukrishnan]

(e) Persons paying a house rent of Rupees five per mensem and upwards.

(f) Graduates of any recognised University.

So that, under the existing Act we give the right of voting both to those who pay tax to the Municipality and to other sets of people like the pensioners, persons who pay rent for houses situated within the Municipality, and graduates of recognised universities. But in the Bill that is before us the voting right is given only to those persons who pay some tax or other to the Municipality. This system the framers of the Bill have copied from the Madras City Municipal Act. But in Section 49 the voting right is extended to only three sets of tax-payers. The persons who are liable to pay tax to the Municipality are enumerated in Section 93. It says:

The Council may levy—

(a) a property tax
(b) a tax on companies
(c) a profession tax
(d) a tax on carriages and animals
(e) a tax on carts
(f) tolls on vehicles and animals entering the city, (and may with the previous sanction of Our Government, levy
(g) a tax on advertisements and
(h) a tax on entertainments).

Of these eight classes of persons the voting power is given under the Bill only to the first three classes of persons, namely those who pay property tax, tax on companies and profession tax. The object of my amendment is to widen it a little and give the right of voting to two sets of tax payers more, those who pay tax on carriage and vehicles and those who pay tax on carts. Under the existing provision, a hotel keeper who pays eight annas profession tax is entitled to vote but on the other hand a bus owner who has to pay a tax of Rs. 60 is not entitled to vote. Therefore my submission is that the power to vote may be extended to the first five classes of persons. With these observations I commend my amendment for the acceptance of the House.

MR. S. NATARAJA PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, the amendment is in order. The only question is whether it ought to be accepted. It adopts the principle contained in the Bill, that it is only those who pay any tax to the Municipality that ought to get the right to vote. But what is the sort of tax that may be taken as the criterion for determining the right to vote? It is provided in the Bill, as revised by the Joint Committee that it ought to be either a property tax, or a profession tax or a tax on companies. If it is the intention of the House to widen the franchise, the proposal made by the honourable member is in order and may be accepted.

PRESIDENT: Has the honourable member any idea as to how far the amendment will widen the franchise?

MR. PUTHUPALLI S. KRISHNA PILLAI: It will include, Sir, persons who pay tax on animals and the animals that are liable to be taxed are enumerated in the schedule, namely, dogs, pigs buffaloes, sheep, etc.

MR. M. SIVATHANU PILLAI (*Tovala* cum *Agastisvaram*): May I know whether the amendment seeks to make a difference between tax and licence fee?

MR. PUTHUPALLI S. KRISHNA PALLAI: There is a tax leviable under the Act and there is a licence fee which is obligatory. The tax on animals leviable under Section 93 is different from a licence fee.

MR. KOTTALIL P. ABRAHAM: Have not these tax payers to be residents in the town?

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes; that is one of the necessary qualifications. Personally I do not see any objection to the amendment. I leave it to the decision of the House.

The amendment was put to the vote of the House and declared carried.

The question that Clause 49 as amended do stand part of the Bill was put and carried. The clause as amended was added to the Bill.

Clause 50.

MR. PUTHUPALLI S. KRISHNA PILLAI: There is a consequential amendment to Clause 50 and if the mover of the previous amendment does not move it, I shall move it.

PRESIDENT: You may move it. Order, order.

I understand there is some difficulty in having the supplementary grants tomorrow as the official members in charge of these have to give place to others. If the honourable members have no objection, I shall take them after the amendments are disposed of.

The House expressed its assent.

MR. PUTHUPALLI S. KRISHNA PILLAI I move that in clause 50, sub-clause (1) for the words letters and brackets "in clause (a), (b) or (c)" the following words letters and brackets shall be substituted namely — "In clause (a), (b), (c) (d) or (e)"

MR. M. K. GOPALA PILLAI; I second it.

The amendment was put to vote and carried.

PRESIDENT: The question before the House is that clause 50 as amended and Clauses 51 to 68 both inclusive, stand part of the Bill.

The motion was put and carried. The clauses were added to the bill.

Clauses 69 to 72.

As the amendment to clause 69 was not moved, the motion that Clauses 69 to 72 form part of the Bill was put and carried.

The clauses were added to the Bill.

Clause 73.

MR. S. NATARAJA PILLAI: Sir, I move the following amendment:—

> In Clause 73, for the words "five hundred" substitute the words "two hundred and fifty."

[MR. S. Nataraja Pillai]

This amendment relates to the powers of the Commissioner who will sanction an amount which does not exeed Rs. 250 instead of Rs. 500. From experience it is found that Rs. 250 will be sufficient because there is a Standing Committee to deal with the question. That committee will take over all estimates for consideration and necessary action. It may also be said that it meets often. Under the circumstances there is no necessity for investing the Commissioner with powers to pass estimates for more than Rs. 250. There is no practical difficulty in accepting this amendment either. For these reasons, I move my amendment for the acceptance of the House.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Under the new bill the Commissioner has got power to sanction any estimate the amount of which does not exceed Rs. 500 and the honourable member now wants that amount to be reduced to Rs. 250. I am not satisfied that it is in the interests of the Municipality to reduce the power of the Commissioner. Therefore I oppose the amendment.

The amendment was put to vote and lost.

The motion that clause 73 stand part of the bill was put to vote and carried.

The clause was added to the bill.

Clause 74.

The motion that clause 74 stand part of the bill was put to vote and carried.

The clause was added to the bill.

Clause 75.

MR. PUTHUPALLI S. KRISHNA PILLAI: The next amendment to clause 75 is only a consequential amendment to clause 73 which was moved and lost.

MR. S. NATARAJA PILLAI: No, Sir. Because the amendment to clause 73 is lost it does not follow that this amendment to clause 75 should not be moved. I will explain. I move the following amendment :—

In clause 75, sub-clause (2) (c), for the words " five hundred " substitute the words " two hundred and fifty. "

With the modification the amendment reads thus :

" No contract involving an expenditure exceeding two hundred and fifty rupees and not exceeding two thousand rupees shall be made by the Commissioner unless it has been sanctioned by the Committee. "

Now, the president of the council has no power of entering into a contract whatever. For the first time, the Commissioner who is an official subordinate, is given the power to making contracts and sanctioning estimates, the amount of which does not exceed Rs. 500, without the necessary sanction from the Council. I think this is an unnecessary provision. So far as the expenditure goes to Rs. 2,500, such a great power is not proposed to be given to the Commissioner, without the

Committee's sanction. I do not say that such a power should not be given. So long as he is an official, he will be bound by the Councillors. So long as he is an official, the Councillors are bound to see that their views prevail in the matter of controlling the expenditure. For the first time a Commissioner is to be appointed on a very high salary and if he is to spend Rs. 500 and enter into a contract without the necessary sanction from the Council, I do not think the Council will in any way be able to control him. It may be said that whatever is sanctioned by him will come to the Council later on for ratification. I would ask, what could be done after the thing has become final. In the practical working also, there is some difficulty. In the way in which the machinery of the Municipality works, unless there is very great supervision on the part of the executive officer, it is not possible for the Commissioner himself to be free from getting into difficulties. In the matter of entering into contracts, there are certain cases which are even now pending before Government. I will cite one case. Sometime back, the Trivandrum Municipal Council acquired a property on lease for the purpose of a car stand, in a particular place. The Municipality were paying lease amount to the owner. That was going on smoothly for some time. Very recently the Municipality got a notice to the effect that the property should be surrendered with the building thereon. We asked for further details. We were told that the building was not there. We enquired about the building. When the matter was further enquired into, we were told that years ago the building had vanished. The official President who was then at the helm of affairs is not the President now. He himself was not at great fault. Probably, the subordinates too were not at fault. But the thing has happened. Such things will certainly continue to happen. The Standing Committee is certainly bound to enquire into such matters and fix the responsibility somewhere. Without leaving the entire burden on the official who has many duties to perform, I think that as a measure of caution, no contract involving an expenditure exceeding Rs. 250 shall be made by the Commissioner. With these words, I commend the ammendment for the acceptance of the House.

MR. M. SIVATHANU PILLAI: In seconding the proposition I wish to make a few observations. I am afraid that most of the members of this House have confused the powers given to the Commissioner in the matter of sanctioning the estimates to the extent of Rs. 500 and powers to be given to the Commissioner in the matter of entering into a contract not exceeding Rs. 500 on behalf of the Municipal Corporation. There is a world of difference between the two. In regard to sanctioning estimates for a particular work, the Commissioner may be competent to give an opinion on the matter or even better opinion on the matter compared to the members of the Council. But in the matter of entering into a contract on behalf of the Municipal Council which involves expenditure on the Municipality, it is not an easy thing for the Commissioner. The House has to take particular care of that investment of power with the Commissioner. It involves an amount not exceeding Rs. 500. However much the Legal Remembrancer may say about the

[Mr. M. Sivathanu Pillai.]

vesting of such power with the Commissioner, the House cannot be convinced of those arguments. In the matter of local self-Government institutions, particularly when we are instituting a corporation at the capital of the State, the House has to see that the educated and enlightened members of this municipal town are given their share in the matter of administering and controlling the Municipal fund. There may arise cases when the Government may think it necessary to get a particular work done by the Commissioner who is under their direct control and who naturally may be amenable to the Govenment's inclinations rather than of the Council. In other words, the Government may be tempted to influence the Commissioner who is a direct subordinate of theirs to see to get a particular work done without any regard whatever of the Council. At least to avoid the temptation of doing things behind the back of the Council, the amendment suggested here is very apt. The amonnt could be limited to Rs. 200 or even Rs. 100 if it is a question of merely spending it. The provisions of the Bill should not be construed in a spirit of red tapism. This is a piece of legislation which is deliberately intended to enlarge the powers of the Council. I think that this bill is aimed at developing a sense of civic responsibility among the representatives of the different wards of the Corporation. It is very much in the interest of the municipality that such a provision is inserted and not to empower the Commissioner to enter on contracts up to Rs. 500 behind the back of the Council. I trust that the Legal Remembrancer will be only glad to accept such a wholesome provision.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I oppose the amendment. It is stated in Clause 2 (e) that every contract made by the Commissioner involving an expenditure exceeding 300 rupees and not exceeding 500 rupees shall be reported to the Standing Committee within 15 days after it has been made. Provision has therefore been made for compelling the Commissioner to make a report of every contract that he enters into involving an amount exceeding 300 rupees to the Standing Committee. That shows that the Committee is appraised of the fact of entering into a contract, that is, the Committee has an opportunity to enquire into the matter and to take steps for correcting the mistakes committed by the Commissioner. Even though the Commissioner is proposed to be invested with the power of entering into a contract, it is provided that in the case of all contracts where the amounts exceed 300 rupees a report of it has to be made to the Standing Committee.

MR. M. SIVATHANU PILLAI: May I ask, whether the Standing Committee could reject a contract entered into by him?

MR. PUTHUPALLI S. KRISHNA PILLAI: If this contract is opposed, the next contract could not be carried out by him. That is the sort of machinery designed by the provisions. The Commissioner will not be in a position to flout the opinion of the Committee for a second time. It is not possible for a Commissioner to enter into a contract in the way he alone desires. An executive power is vested in the Standing Committee to effectively control the Commissioner by way of limiting an

expenditure between Rs. 300 and Rs. 500. Then a report has to be made to the Standing Committee. What is the use of that report unless it be to help them to interfere in appropriate cases. A Commissioner who flouts the opinion of the Standing Committee will not be in a position to remain as Commissioner for any length of time. That is the idea contained in the provision. Again, for the purpose of carrying out an ordinary work which involves an amount not exceeding Rs. 500 a Commissioner has to get the sanction of the Standing Committee. That means that he will not be in a position to attend to it immediately.

As was said by the honourable members, certainly the responsibility is vested in the Council under the present Act. It was not possible for the Council to know that the building for which 'they had been paying rent has disappeared. That was possible under the existing act but we do not want a repetition of it. The inordinate delay in the execution of petty works can be only by vesting sufficient power in one officer. Considering the Status of the Officer, the power now provided does not appear to be excessive. I therefore oppose this amendment.

SAHIB BAHADUR P. S. MUHAMED : സർ, ഞാൻ ഈ ഭേദഗതിയെ അനുകൂലിക്കുന്നു. ൫൦൦ രൂപയുടെ കൺട്രാക്ട് കൊടുക്കാനുള്ള അധികാരം കാർപ്പറേഷൻ കമ്മീഷണർക്കു നൽകിയില്ലെങ്കിൽ കാർപ്പറേഷന്റെ പ്രവർത്തനം നിന്നുപോകുമെന്നോ അല്ലെങ്കിൽ കാർപ്പറേഷൻ പ്രവർത്തനം സാരമായ ദോഷങ്ങൾ ഉണ്ടാകുമെന്നോ ലീഗൽ റിമെംബ്രൻസറുടെ പ്രസംഗം കൊണ്ട് വ്യക്തമാകുന്നില്ല. കാർപ്പറേഷൻ എന്ന പേരു കൊടുത്തതുകൊണ്ട് ജനപ്രാതിനിധ്യഭരണത്തിനു വല്ല ഭംഗവും വരുത്തണമെന്നു ഉദ്ദേശിക്കുന്നതായി തോന്നുന്നില്ല. മഹാരാജാവു തിരുമനസ്സുകൊണ്ട് ജനങ്ങൾക്കു അവിടത്തെ അധികാരത്തിൽ ഏതാണ്ടു ചിലതു വിനിയോഗിച്ചു നൽകിയിട്ടുള്ള ഒരു സ്ഥാപനമാണ് മുനിസിപ്പാലിററി. അവിടേയും ഏകാധിപത്യഭരണത്തിനു ശക്തി കൂടത്തക്ക നിലയിലുള്ള വ്യവസ്ഥകൾ നിയമത്തിൽ കുത്തിച്ചെലുത്തുന്നതു കഴിയുന്നതും സൂക്ഷിച്ചു വേണ്ടതാണ്. തിരുവനന്തപുരം കാർപ്പറേഷൻ കമ്മീഷണർക്കു ൫൦൦ രൂപയുടെ കൺട്രാക്ട് കൊടുക്കുന്നതിനുള്ള അധികാരം കൊടുത്തില്ലെങ്കിൽ അതുകൊണ്ടു യാതൊരു ദോഷവും വരാനില്ല. ഇന്ന് ഈ അധികാരം ഇല്ലാത്തപ്പോൾ മുനിസിപ്പൽ പ്രസിഡന്റുമാർ കൗൺസിലിന്റെ അനുമതിയോടുകൂടി ഭംഗിയായി ഭരണം നിർവഹിക്കുന്നുണ്ട്. പോരെങ്കിൽ ഈ നിയമപ്രകാരം സ്റ്റാൻഡിംഗ് കമ്മിററിക്കു നിർദ്ദേശിച്ചിരിക്കുന്നതുകൊണ്ട് ഇത്ര അധികാരം കൊടുക്കേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ വളരെ സന്തോഷത്തോടുകൂടി അനുകൂലിക്കുന്നു.

The amendment was put to vote and carried.

MR. S. NATARAJA PILLAI: My second amendment to that clause is a consequential amendment. The amendment is:—'In clause 75, sub-clause (2) (e), for the words 'three hundred" and "five hundred" the words "one hundred" and the words "two hundred and fifty" shall respectively be substituted." Because the other amendment has been accepted and the figure 250 put instead of 500 this is a necessary amendment in the interest of the Commissioners themselves.

MR. M. SIVATHANU PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, it is not a consequential amendment. It need not be Rs. 100. When it was Rs. 500, the limit was Rs. 300—When it has been lowered to Rs. 250 the limit should be at least Rs. 150.

MR. S. NATARAJA PILLAI: Sir, I accept the amendment.

The amendment was put to vote and carried.

The question that clause 75 as amended do stand part of the Bill was put to vote and carried.

The clause was added to the Bill.

Clauses 76 to 82.

The question that clauses 76 to 82 do stand part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Clause 83.

MR. S. NATARAJA PILLAI: Sir, I am not moving that amendment.

The question that clause 83 stand part of the Bill was put to vote and carried.

The clause was added to the Bill.

Clauses 84 to 92.

The question that clauses 84 to 92 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Clause 93.

MR. S. NATARAJA PILLAI: Sir, I beg to move that.

"In clause 93, Sub clause (f) after the words "the previous sanction of" insert the words "and subject to such rules as may be framed by."

PRESIDENT: Has the Legal Remembrancer any objection to accept the amendment?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, Sir.

The amendment was put to vote and carried.

MR. S. NATARAJA PILLAI: Sir, I move that "In Clause 93, add the following as sub-clause (1) after sub-clause (h):

(i) a duty on certain transfers of property in the shape of an additional stamp duty."

A direct taxation is one which people will object to pay. But a small taxation for the transfer of property within the municipal limit is some thing which people can easily pay.

PRESIDENT: Trivandrum wants to take advantage of speculation. Is that the idea?

MR. S. NATARAJA PILLAI: The Madras Act contains a similar provision. Here also if such a provision is introduced, in view of the large number of transfers of property that are taking place, the Council will be able to get a substantial revenue. I think it will not fall very heavily on the people. In the District Municipalities Act in British India there is a similar provision. I should think that it would be welcome here also. I therefore move the amendment for the acceptance of the House.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: If the amendment is put in a different form there may not be any objection to accept it. May I be permitted to suggest the form.

In clause 93, (i) between the words "with the previous sanction of" and the words "Our Government" the following shall be inserted namely;" —"and subject to such rules as may be framed by,"

(ii) the word "and" at the end of clause (g) shall be deleted;

(iii) after clause (h) the word "and" shall be added; and

(iv) the following shall be added as clause (i)' namely:—

"(i) a duty in the form of a surcharge on the duty imposed by the Travancore Stamp Act on transfers by way of sale, gift or mortgage with possession of immovable property within the limits of the city." If my friend has no objection to the amendment proposed by me there is no harm in accepting it.

MR. S. NATARAJA PILLAI: I accept the amendment.

SAHIB BAHADUR P. S. MUHAMED: സർ, ഞാൻ ഈ അമെൻഡ്മെൻറിനെ എതിർക്കുന്നു. തിരുവനന്തപുരം നഗരത്തിൽ താമസിക്കുന്ന പൌരന്മാർ കരത്തിൻെറ ആധിക്യംകൊണ്ടു വളരെ വിഷമതകൾ അനുഭവിക്കുന്ന ഒരു സന്ദർഭമാണിതു്. വാട്ടർകരം, ലൈററുകരം തുടങ്ങിയ അനവധി കരങ്ങൾ അവർ കൊടുക്കേണ്ടിയിരിക്കുന്നു. ചുരുക്കത്തിൽ മുനിസിപ്പാലിററിക്കു ഏതെല്ലാം വിധത്തിൽ പണമുണ്ടാക്കാമൊ ആ വഴികളിലെല്ലാം ജനങ്ങളുടെ മേൽ നികുതി ചുമത്തിയിട്ടുണ്ടു്. ഇതു കാർപ്പൊറേഷനാകുമ്പോൾ വലിയ ശമ്പളം വാങ്ങിക്കുന്ന ജനങ്ങളോടൊപ്പം സാധുക്കളായ ജനങ്ങൾക്കും ഇവിടെ ജീവിക്കണമെന്നുള്ള ആദർശത്തെ മുൻനിറുത്തി കരം കഴിയുന്നതും കുറയ്ക്കുകയാണു വേണ്ടതു്.

MR. M. SIVATANU PILLAI: "May levy" എന്നേ പറഞ്ഞിട്ടുള്ളു. അതുകൊണ്ടു അതു നിർബന്ധമല്ലെന്നു മെമ്പർക്കറിയാമോ?

SAHIB BAHADUR P. S. MUHAMED: നിർബന്ധമല്ലെങ്കിൽ ഇന്നുവരെയില്ലാത്ത ഒരധികാരം കൂടുതലായി കൊടുക്കേണ്ട ആവശ്യമില്ല എന്നാണു ഞാൻ പറയുന്നതു്.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : കരങ്ങൾ പലതും നിറുത്തണമെന്നുള്ള വ്യവസ്ഥകൾ പിൻവരുന്നുണ്ടെന്നറിയാമോ ?

SAHIB BAHADUR P. S. MUHAMED : കരം കുറവു ചെയ്യാൻ സാധിക്കുമോ എന്നുള്ള സംഗതി സംശയിക്കേണ്ടിയിരിക്കുന്നു. മേലാൽ കുറയ്ക്കാമെന്നുള്ള വിചാരത്തിൽ കരം കൂട്ടിവയ്ക്കുന്ന നയം ഒരിക്കലും ശരിയല്ല. അതുകൊണ്ടു ആവശ്യമില്ലാത്ത കരം ചുമത്തരുത്.

MR. T. C. KESAVA PILLAI : സർ, ഞാൻ ഈ ഭേദഗതിയെ എതിർക്കുന്നു. ടൗൺ അതിർത്തിക്കു വെളിയിലുള്ള വസ്തുക്കൾകൂടി ചേർത്തു ചിലപ്പോൾ ട്രാൻസ്ഫർ നടത്തിയേക്കും. അതിനുകൂടി കരം ഈടാക്കണമെന്നു പറയുന്ന നയം ശരിയായിരിക്കയില്ല. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ എതിർക്കുന്നു.

MR. S. NATARAJA PILLAI : Mr. Kesava Pillai's difficulty does not arise. If such transfers as are suggested by Mr. Kesava Pillai are going on, it is against the provisions of law and courts will not recognise such transactions. This will be a wholesome provision against that.

As regards the objection raised by Mr. Muhamed I would say that though the general taxation is heavy, a tax on transfer of property would form only a very light tax. Only half a per cent is proposed. Of course Government may reduce it further. If that is done I do not think that it will be as much conveyauce as conveyance charges met by parties. We should not grudge paying Rs. 2 or 3 to the Municipality, when we effect a transfer of property.

SAHIB BAHADUR P. S. MUHAMED : ഒരു പ്രാപ്പർട്ടി ട്രാൻസ്ഫർ ചെയ്യുമ്പോൾ ഗവൺമെന്റിനു സ്ടാംപു ഡ്യൂട്ടി കൊടുത്തുകൊണ്ടിരിക്കയല്ലേ!

MR. S. NATARAJA PILLAI : Government has to be paid its dues. But over and above that a small percentage is to be fixed for payment to the Municipality.

PRESIDENT : Before the motion is put to vote I mean to say a few words because I have some experience of this kind of taxation. What we, the Government, are anxious to promote is a feeling in Municipalities that it is their duty as it is their right to extend the amenities of civic life by getting rid of congestion and slum areas. This they can do only if they extend cities like Trivandrum, Quilon and Alleppey by planning new centres adequate for the residence of the people and for industrial purposes. In order to do that they will have to spend some money. I have known from my own experience that in most centres of population in India, and not less so in Trivandrum, there is a considerable demand for house properties and there is a tendency to speculate in house property and to make profit by transfers. I have in my mind property in Madras purchased on the 15th of June of a particular year for Rs. 10,000 and before December of that year it changed

hands for many times that amount. But that was a kind of boom period, a period of speculation. But where, for instance, a Municipality is called upon to develop new localities it is but right that it should get some of the advantages of those changes of value which it is instrumental in producing by improving the locality by introducing a drainage system a lighting system, by the laying of parks and other amenities. If the Municipality is expected and I think should be expected to make itself known then it should bring into existence libraries, parks, picturegalleries and other places of healthy activity. We cannot get these amenities embarked upon by a Municipality unless it is interested in developing localities and that interest is most stimulated by the element of profit which is so frequent and so inevitable on the human efforts. On the whole rather than the Municipalities coming to the Government and constantly asking for grants it would be a better way for the Municipalities to realise their own responsibilities being also responsible to the tax-payers for the adequate and proper discharge of their responsibilities. I may therefore suggest to the House that of all forms of taxation a tax on transfer of properties would be the least onerous and, in the long run, perhaps the most advantageous form of Municipal taxation.

The amendment was put to vote and carried.

PRESIDENT: The House will now adjourn and meet again at 2 P. M.

The House adjourned at 1·5 P. M. and reassembled at 2, P. M. with the Dewan-President in the Chair.

DEMANDS FOR SUPPLEMENTARY GRANTS—(contd.)

IX. MEDICAL.

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: Sir, I move for a supplementary grant not exceeding Rs. 1,600 for special repairs to the Ophthalmic Hospital buildings at Trivandrum.

The repairs to the Ophthalmic Hospital had to be carried out urgently because of the very unsatisfactory condition of the walls and floors of the main building. The building was constructed over 50 years ago.

PRESIDENT: How many years ago?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: Over 50 years ago, Sir. The plastering had crumbled down and there were crevices and cracks in the walls and floors which became a breeding place for vermin and germs. In Vrischigom last, the wards had to be closed due to an outbreak of chickenpox among the in-patients. The urgent repairs were carried out when the wards were closed for about 3 weeks. The building is now in good condition, though the accommodation is insufficient. I request the house to pass this supplementary grant.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether these defects were detected only very recently?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: They were noticed some years ago, patching work alone was done from time to time. The whole plastering of the walls could not be removed and renewed until the patients were removed from the wards.

MR. N. NARAYANA KURUP: May I know the number of patients in the hospital.

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: About 130 and 50 in this building.

MR. N. NARAYANA KURUP: May I know the number of cots provided ?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE: 37 cots are provided in the main building, but 50 patients are usually accommodated here.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Does the honourable member realise that there is not a complaint for want of accommodation in the Ophthalmic Hospital ?

PRESIDENT: There is a very chronic complaint about this.

The question whether Rs. 1,600 be granted under Supplementary Grant IX— Medical, was put to vote and carried.

The grant was made.

X. PUBLIC HEALTH AND SANITATION.

MR. M. K. GOPALA PILLAI Sir, I beg to move for a grant of Rs. 1,050 for additional T. A. to the District Health Officers.

This amount was necessitated by the frequent tours done by the District Officers in connection with the outbreak of plague in Munnar, Alleppey and Quilon. This additional expenditure had to be incurred in the interest of efficiency of work. I therefore request the House that this amount may be granted.

The question whether Rs. 1,050 be granted under Supplementary Grant X—Public Health and Sanitation, was put to vote and carried.

The grant was made.

XI. PUBLIC WORKS DEPARTMENT.

MR. M. S. DORASWAMI AIYANGAR: Sir, I beg to move for an additional grant of Rs. 69,700 for urgent works under the Town Planning Scheme in Trivandrum etc.

In moving this I may state that a sum of Rs. 1,99,000 was provided in the Budget for 1115. Out of this an amount of Rs. 1,00,000 was alloted for the construction of new Office Buildings which are being constructed near the Museum and in consequence funds for other urgent works like the shelcreting of the roads were not available. On the whole Rs. 2,60,000 is required to carry out the programme of works this year and as more than 50 per cent of this allotment were taken away by the construction of buildings it became difficult to provide funds out of it for the carrying out of urgent works. Out of this, however, a sum of Rs. 40,000 is available by diversion for the Town planning works. The additional grant required for the town planning

work alone will be Rs. 33,250. Besides this a sum of Rs. 16,000 is required to keep the roads in a better condition. Also amounts for the maintenance of the Council Chamber and for some wards in the General Hospital were not provided in the budget. On the whole a sum of Rs. 17,400 is required under maintenance. Then owing to the shifting of the Armed Reserve Police to Oolampara and for meeting some other original works, a sum of Rs. 28,650 is required out of which Rs. 10,000 was diverted. Thus a total of Rs. 69,700 under these heads is required as additional grant. There are some funds available under the head of Military Works but that could not be diverted without special sanction.

MR. T. P. VELAYUDHAN PILLAI: Is it not possible to get the required Government sanction for this?

PRESIDENT: If the Military has to be sent out from here other battalions will have to be raised immediately. So it is not proper to divert the amount allotted for Military expenditure.

The question whether Rs. 69,700 be granted under Supplementary Grant XI—Public Works Department, was put to vote and carried.

The grant was made.

XIII. Police.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Sir, I beg to move for a supplementary grant of Rs. 19,100 for (i) Installation of Telephones Rs. 1,700, (ii) Installation of electric lights Rs. 400, (iii) Additional T. A, for the Police Department Rs. 17,000.

As regards item No. (i), because this is an age of advanced scientific applicances, the majority of which are designed to annihilate time and space it is in the fitness of things that the Police a Key department should never lag behind in their equipment. Moreover, I have found out that with the aid of telephones office work and executive work is done more economically and speedly.

Likewise No. 2.

With regard to item No. 3. as our Dewan President has said in the course of his speech which we have all heard today it is a fact that in India the V column activities are going on; and in our State also there is trouble from the same source. In order to combat this myself and my men should move about quickly and frequently. That is why I have asked for the grant under T. A. including a sum of Rs. 14,000 on account of T. A. in 1114 which had to be met from the current year allotment for T. A. In this connection I may say that it is eight months since I received my T. A.

The question whether Rs. 19,100 be granted under Supplementary Grant XIII, Police, was put to vote and carried.

The grant was made.

XV. INDUSTRIES INCLUDING CLAY REFINING AND PORCELAIN FACTORY.

MR. C. KUMARA DAS: Sir, I beg to move for a supplementary grant of Rs. 43,000, for. Capital Expenditure and working expenses of the Ceramic Factory.

This amount is made up of two items Rs. 30,000 for Capital Expenditure and Rs. 13,000 for working expenses. This additional demand has been necessitated for two reasons. Government was fortunate enough to capture a very good market for the refined China Clay. There is a great demand for this. Therefore it has led to an increase of output. That means increase of labour and necessity for provision for additional facilities. This has resulted in more expenditure. The second reason is that the prices of some of the materials have gone up since the outbreak of the war.

In the matter of capital expenditure the chief items of expenditure are towards providing better mining ventilation, lighting, erecting additional store sheds, etc. We have to mine 50 to 60 tons per day now, in place of the 30 tons or so with which we were content formerly. That means borrowing further and further into the earth. For that we want timber, more electrical communications and facilities for ventilation. The wages have also increased and so additional expenditure is involved. For these reasons I request the House to sanction the supplementary grant asked for.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know where is the market captured by Government?

MR. C. KUMARA DAS: The market is Bombay and other textile manufacturing centres in Western and North India.

MR. KANNANTHODATH JANARDANAN NAIR: Does the factory get orders for earthernware pipes?

MR. C. KUMARA DAS: We manufacture only stoneware pipes.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the pipes were given for Trivandrum Drainage Works?

MR. C. KUMARA DAS: No, Sir. The pipes are not ready.

MR. KANNANTHODATH JANARDANAN NAIR: What I meant was that I want to know whether tests were made of the pipes manufactured by the factory by the Trivandrum Drainage Department, and whether the pipes have stood the test?

MR. C. KUMARA DAS: Some of the pipes have been tested and they have stood the tests well.

The question whether Rs. 43,000 be granted under Supplementary Grant XV—Industries including Clay Refining and Porcelain Factory, was put to vote and carried.

The grant was made.

DEMAND No. XIX—AYURVEDA.

MR. G. NARAYANAN TAMPI (*Secretary to Government*): Sir, I beg to move for a grant of Rs. 2,000 under Demand XIX, Ayurveda. This amount is required for the purpose of purchasing medicines for the Government Ayurvedic Hospital at Trivandrum. The budget grant for the year under this head, is Rs. 7,000. It has been found not possible to meet the entire demand with this amount. The main reason for the increased demand is the increase in the number of in-patients and out-patients in the Hospital. Statistics show that the average daily attendance in the Hospital in 1114 was 22·96, whereas during the current year, it is 28·43. The total number of inpatients treated up to the end of Edavam 1114 was 318 while, for the corresponding period in the current year is 352. Out-patients for the same period in 1113 *i. e.* up to the end of Edavam numbered 72,443; and for the corresponding period of the current year, the number has come up to 75,985. Further, there has been quite recently, the addition of a new section to the Hospital *viz.*, the *Panchakarma* Section, where oil massage and other kinds of oil treatment are being carried on.

MR. P. SIVARAMA PILLAI (*Minachil cum Todupuzha*): Will the honourable member kindly give further information about this?

MR. G. NARAYANAN TAMPI: Yes, Sir, I am proceeding to do so. Both for conducting the treatment, and for affording training to pupils in the *pizhichil, oozhichil, kizhi* and other modes of oil treatment, a trained Ayurvedic physician has been appointed and a new ward opened for the purpose; and in so short a period as about a month, 38 successful cases have been treated. It is in these circumstances that an additional allotment has been necessitated. I hope the House would have no objection to vote this supplementary grant.

MR M. SIVATHANU PILLAI: May I know whether these processes of *pizhichil etc.*, take place in the Hospital itself?

MR. G. NARAYANAN TAMPI: Yes, Sir.

MR. KOTTALIL P. ABRAHAM. May I know from where the medicines are purchased?

MR. G. NARAYANAN TAMPI: From the Government Ayurveda Pharmacy.

The question whether a sum of Rs. 2,000 under supplementary Demand XIX, Ayurveda was put to vote and carried.

The grant was made.

LEGISLATIVE BUSINESS—(*contd.*)

THE TRIVANDRUM CITY MUNICIPAL BILL—(*contd.*)

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, clause 93 has been moved and it was being discussed.

PRESIDENT: Any other honourable member wishing to take part in the discussion?

Members indicated "No"

The following motion was put and carried.

[President.]

In clause 93,—

(i) between the words "with the previous sanction of" and the words "Our Government," the following shall be inserted namely:—"and subject to such rules as may be framed by";—

(ii) the word "and" at the end of clause (g) shall be deleted;

(iii) after clause (h) the word "and" shall be added; and

(iv) the following shall be added as clause (i), namely:

"(i) a duty in the form of a surcharge in the duty imposed by the Travancore Stamp Act on transfers by way of sale, gift or mortgage with possession of immovable property within the limits of the city."

Clause 93 as amended was added to the Bill.

Clause 94.

The question that Clause 94 form part of the Bill was put and carried.

The Clause 94 was added to the Bill.

Clause 95.

MR. S. NATARAJA PILLAI: Sir, I move that in Clause 95 (2) line 9 delete "for general sanitary tax one per cent. of the annual value."

Section 95 deals with the levy of taxes. The taxes enumerated are (a) water tax, drainage tax, tax for the purpose of advertisements, tax for water and drainage scheme (b) a lighting tax for the purpose of defraying the expenses connected with the lighting of the City; (c) a tax on buildings and lands; and (d) a general sanitary tax. Under the present Municipal Act we levy a property tax and also a water tax. There is no taxation for lighting the City. The expenses connected with the lighting are borne by the Municipality itself to a certain extent and also by a contribution till recently of about Rs. 12,000 granted by Government. I do not think there will be any necessity hereafter for us to ask Government for additional grants unless it be for works specially done at the request of Government or other than falling under ordinary municipal duties. Now, a lighting tax and a general sanitary tax have been introduced. I do not think there is any necessity at this juncture, especially, on the eve of the war and its consequence, for the levy of a general sanitary tax from the people of the City. We have passed various kinds of taxes, a property tax, tax on companies, professional tax, tax on various animals, tax on carts, vehicles, advertisements and entertainments. We have passed a duty on Transfers of property. Several new taxations have been added. In these circumstances, I wish to add that the one per cent. taxation by way of general sanitary tax is absolutely unnecessary. It will fall as a heavy burden on the people, because Section 95 says

that the tax "shall" be imposed, and the Municipality has no alternative but to levy a tax of this nature. We are now paying 5½ per cent. whereas under this Act we have to pay forthwith 10 per cent. A jump from 5½ to 10 is very hard, especially at this juncture.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I oppose the amendment. This Clause has undergone considerable criticism and in the form in which it now appears it has been adopted by the Joint Committee. It is now urged that a general sanitary tax of one per cent. on the annual value of buildings and lands should be omitted; that is, the property tax should be reduced by one per cent. It is said that 10 per cent. taxation would be unbearable or burdensome and that it should be omitted. It is regrettable that the honourable member should have chosen this particular item and advocated its omission. If there is any tax which could lawfully be imposed by the City of Trivandrum it is this. There is yet much to be done in the city for the purpose of improving its sanitary conditions.

Then the honourable member said that we are, after all, paying only 5 per cent. and this section provides for ten per cent. No doubt, it is true. All the other items of expenditure are being mostly maintained or made by contributions from Government. It is said that over Rs. 12,000 is being spent for the purpose of lighting the town. The sanitary arrangements are now made by Government and the expenditure met for the purpose from the general revenue is enormous. Several hospitals are being run by the Government without claiming anything from the Municipality. The services of the Sanitary Commissioner and the other Sanitary officers are always available to the Municipality. How much does the Municipality contribute for the purpose? The one per cent. sanitary tax should not be grudged. If the percentage for taxation prevailing in other corporations is considered, honourable members will kindly note that the provision contained in this Bill is very modest. It is, in fact, only less than half the amount that is being levied as property taxes in other places.

PRESIDENT: Does the honourable member know how much in one form or other the Government pays to the Trivandrum Municipality?

MR. PUTHUPALLI S. KRISHNA PILLAI: In addition to the various grants made in the shape of money, Government contribute for various other amenities.

PRESIDENT: I want to know the amount.

MR. PUTHUPALLI S. KRISHNA PILLAI: All that I can say is that all members of this House know that the Trivandrum Municipality gets, as a matter of fact, the bulk of the contributions that Government make not only in the shape of money but in various other forms and amenities at the expense of the general tax payer.

I am strongly of the view, Sir, that this provision cannot be deleted. I oppose the amendment.

MR. G. NARAYANAN TAMPI: Sir, in opposing this amendment, I beg to place before the House certain aspects of the question which I may be permitted to advert to from my experience for some time as the President of the Trivandrum Municipal Council. The main point at issue is whether a small addition to the percentage of taxation for the purpose of ensuring a higher standard of sanitation would be admissible or not. This would necessarily lead us to the question as to what Government have done, or are doing, or propose to do, in the matter of providing funds for the expenditure, capital and recurring, in promoting the civic amenities at various centres in the State. As stated by the learned Legal Remembrancer, the large number of hospitals, schools, libraries and other such institutions involving heavy outlay, and maintenance charges from year to year have been provided at urban centres out of the general revenues of the State. The Trivandrum Municipality, more than any other municipality, has had the maximum advantage in this direction.

Take, for instance, the Willingdon Water Supply. Supply of protected water is obviously one of the most fundamental obligations of any responsible civic body, especially in a place like Trivandrum where the entire area is extremely congested. It is no exaggeration to say that a well ordered water supply scheme, such as our Willingdon Supply, is the one panacea for all ills incidental to filarial and malarial humanity. This supply in Trivandrum has been made possible at a cost of about one crore of rupees. Where did that money come from? Certainly not from the Trivandrum Municipality. Nor was there any possibility for the municipality to raise even an appreciable fraction of that huge amount. Trivandrum is not a place where the majority of the population has the wherewithal to lead anything more than a mere hand to mouth existence. Barring the officers and a handful of successful practitioners at the Bar and may be a few businessmen, there is hardly anybody in Trivandrum who can pay for any expensive municipal commitment. Hence Government have found the large capital outlay for ensuring the supply, from out of the general revenues. In this, as in other kindred matters, Government have come to the rescue of the Municipality; and the general ratepayer all over the State has had to contribute towards the civic amenities of Trivandrum.

There are again the roads in the town—the broad main roads with the beautiful side walks, and the many miles of minor roads, which can compare favourably with the roads in any of the best towns in India. Look at the enormous expenditure in making and maintaining these roads. Where is the money from? Again, from the general ratepayer. In the midst of the cry from other parts of the State for yet more roads and more hospitals and more schools, Trivandrum is having such large slices out of the Government's resources. No doubt, Trivandrum is the capital. Nevertheless, Trivandrum is but a part of Travancore. How then can the people of this town grudge a small percentage by way of additional tax for enabling the Municipality to discharge one of its most fundamental obligations, namely, the maintenance of a proper standard of sanitation?

MR. M. SIVATHANU PILLAI: May I know whether the tax for a particular purpose would be ear-marked for that purpose?

MR. G. NARAYANAN TAMPI: No, Sir. It is not usually the policy of tax-raising bodies to ear.mark the receipts under a particular item for a particular purpose, unless specifically so provided.

MR. M. SIVATHANU PILLAI: May I know what the honourable member thinks with regard to the sanitary revenues being spent for sanitary purposes?

MR. G. NARAYANAN TAMPI: Sir I am surprised that the honourable member who is an experienced Municipal President and corporator should have asked me this question. I may ask my honourable friend whether the house tax that is realised by the Municipalities is utilised merely for paying salaries to the agency that carries on the collection work. No item of tax is ordinarily to be utilised for a particular item of expenditure alone.

The honourable member, Mr. Nataraja Pillai, the mover of the amendment, said that the Municipality is making a contribution to Government towards lighting charges. No doubt, certain amounts have been surrendered to Government for extending the electric lighting in the streets. But then he forgets that the whole amount surrendered in this connection from time to time was, in the first instance, a contribution from Government to the Municipality. The roads were made by Government. They provided the street lights as well. The annual Budget grant to the Public Works Department for maintaining these lights was made over to the Municipality in the shape of an annual contribution, at the request of the Council. It is this grant which has now come back to Government as a result of providing an expensive electric supply to the town, at Government cost, and providing a large number of street lights in addition.

We have about 90 to 100 miles of minor roads and about 20 miles of major roads in Trivandrum, not to speak of the new Drainage roads. The major roads have been made, and are maintained, exclusively by Government at Government cost. The minor roads were also made by Government. Some years ago it was deemed necessary that the municipalities should also share the responsibility for the maintenance of these roads. The Trivandrum Municipality protested, on account of dearth of funds and paucity of resources. Still, a small annual contribution of Rs. 5,000 is being made from the annual 'Toll receipts'. This amount is evidently but a small fraction of the total expenditure on the upkeep of these roads. Hence the Municipality has to adopt measures to become more and more self-supporting; and there is no gainsaying the fact that new taxation, besides enhancement of existing rates, is the most obvious means of raising municipal funds. It is, therefore, a matter for surprise, as well as regret, that there should be any opposition to the proposed sanitation tax.

It may be of interest in this connection to trace the origin and development of our Municipalities. The Taluk authorities were attending to the conservancy work both in urban and in rural areas;

[Mr. G. Narayanan Tampi.]

Later on, we had the Town Improvement Committees in the Division headquarters. In Trivandrum, however, a distinctive organization came into existence; and that is the present Municipality, the City Corporation that is to be. All the civic amenities of this important town were provided by Government, originally, because Trivandrum is the capital of the State. The city has considerably enlarged itself in recent years; and the civic requirements of the large and growing population cannot any longer be saddled on Government, for obvious reasons. They have launched on numerous schemes for the welfare of the whole State, for which, enormous capital would be required. There is also the prevailing economic depression which has greatly affected Government's resources. I would, therefore, exhort the Municipal authorities not to be too sentimental in exploring their own resources in future I hope there would be no objection to the proposed taxation which is intended to enable the Municipality to enhance the standard of sanitation in this important town.

MR. S. NATARAJA PILLAI: Very strong arguments have been levelled against my amendment. It was stated that the Municipality is getting grants from Government, that the roads in the municipal area have been made and maintained by Government, that the hospitals were maintained by Government and that the lights were put up and maintained by Government. I take this opportunity of thanking Government for all these things on behalf of the Municipal Council and on behalf of the people who were living here, before the Municipal Council came into existence.

But I may say that in the recent past and in the present, the Trivandrum Municipal Council has taken upon itself the responsibility of paying as much as possible; and now as much as is demanded by Government by way of contribution for every good work done by Government. When Government asked us for contribution for putting up lights we gave money, and we have now put up 200 lights within the last one month and we are paying Government for these at the rates fixed by them. As regards maintaining hospitals and roads, Governments every where are spending for these. As regards the main roads in the British Indian Provinces, the Government of India gives a grant for keeping and maintaining these; because it is in the interests of the whole population of India. Similarly, the main roads in Trivandrum are not only used by the people of Trivandrum. Buses plying from one part of the State to another go along these roads and such amenities have to be given by Government. Whenever necessary, for the maintenance of minor roads we are paying contributions. It may not be necessary for us hereafter to ask Government for any more contribution, unless it be for special services. It is in that hope, therefore, that I move this amendment. Though the increase in taxation is only one per cent. it is a big burden. Already we are paying $5\frac{1}{2}$ per cent. tax. The people are hard pressed. The price of paddy is going up. The rent for buildings is going down and houses are vacant; and even where the houses are rented out proper rents are not being received by house owners. Every day, household utensils

are being attached and brought to the Municipal office for default in the payment of tax and if honourable members would only visit the Municipal office they could see for themselves the number of vessels lying there. In these circumstances, to impose 10 per cent. tax when at present there is only 5½ per cent. is too much. If it were not so, this amendment would not be necessary. Then there is another clause, which says that taxation may go up to 15 per cent. That clause is not sought to be amended by me. But here, when it is said that taxation shall be 10 per cent. my submission to the House is that it is too much. The Municipality has no other alternative but to impose 10 per cent. taxation. But this is too much. It is therefore that I move that this sanitary tax which does not find a place in the City Municipal Act and the District Municipalities Act in Madras must not be introduced here. I admit that in the City Municipal Act there is provision for the imposition of a general tax, and a pilgrim tax. Here, when we are given the power to tax up to 15 per cent. if necessity arises, and Government could compel us to raise the tax up to 15 per cent. I do not think that there is any necessity for compelling the Municipal Council to levy a tax of 1 per cent. on the poor householder who is already hard pressed.

The amendment was put to vote and carried.

MR. PUTHUPALLI S. KRISHNA PILLAI. Sir, I demand a poll.

A poll was taken with the following result :—

YES.—38.

1 Mr. Kottalil P. Abraham
2 ,, P. C. Adichan
3 ,, S. Chattanatha Karayalar
4 ,, M. L. D'Cruz
5 ,, Srimati K. Devaki Antharjanam
6 Mr. D. Francis
7 ,, K. G. Govindan
8 ,, S. Govinda Pillai
9 ,, M. L. Janardana Pillai
10 ,, Kaunanthodath Janardanan Nair
11 ,, N. John Joseph
12 ,, Menatheri N. Kesava Panickar
13 ,, M. G. Kesava Pillai
14 ,, T. C. Kesava Pillai
15 ,, T. T. Kesavan Sastri
16 ,, K. P. Kochukora Tharakan
17 ,, Kaviyoor K. K. Kochukunju
18 ,, N. R. Krishnan
19 ,, P. Kunjukrishnan
20 Mr. K. Kunju Panickar
21 ,, Varkala K. Madhavan
22 ,, P.V Mathai Chemparathy
23 Sahib Bahadur P. S. Muhamed
24 Mr. N. Narayana Kurup
25 ,, K. Narayanaperumal Nadar
26 ,, S. Narayana Pillai
27 ,, P. Narayana Pillai
28 ,, M. R. Narayana Pillai
29 ,, K. R. Narayanan
30 Srimati T. Narayani Amma
31 Mr. S. Nataraja Pillai
32 ,, Kainikara M. Padmanabha Pillai
33 ,, N. Ramakrishna Pillai
34 ,, Codiveetil C. Ramankunju
35 ,, M. Ramiah Pillai
36 ,, M. Sivathanu Pillai
37 ,, Puliyoor T. P. Velayudhan Pillai
38 ,, G. Velu Pillai

[Mr. Puthupalli S. Krishna Pillai.]

NOES.—16.

1	Sahib Bahadur V. Chandamiah	9	Mr. K. G. Kunjukrishna Pilla
2	Mr. K. Dominic Joseph	10	,, C. Kumara Das
3	,, M. S. Doraswami Aiyangar	11	,, G. Narayanan Tampi
4	,, M. K. Gopala Pillai	12	,, M. R. Nilakanta Aiyar
5	,, C. P. Gopala Panickar	13	Vaidyasastrakusala Dr. (Mrs.) M. Poonen Lukose
6	,, Joseph Vithayathil	14	Mr. M. Ramachandra Rao
7	,, K. C. Karunakaran	15	,, P. Sivarama Pillai
8	,, Puthupalli S. Krishna Pillai	16	,, S. Sundararajan

NEUTRALS.—4.

1	Mr. E. E. Pandarathil	3	Mr. R. Narayanan Nambootiri
2	,, S. Krishna Aiyar	4	,, J. W. Tolson

The sub-clause was deleted.

MR. S. NATARAJA PILLAI: Sir, I move the following amendment:—

"In clause 95 (2) line 8 for 'three per cent.' occurring after 'for building and land tax', substitute two and a half per cent".

We are now paying 2½ per cent. of the annual value as house tax. There is another proviso to the section which says that up to 15 per cent. taxation shall be levied if necessary. In the light of this, payment of 2½ per cent. as house tax is enough. Hence I move the amendment.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir in regard to all items of taxation, the tax collected in most cases has been for a particular purpose. For instance, a water and drainage tax collected is for the purpose of defraying the expenses connected with the water and drainage sytsem. Similarly is the case with lighting tax and that tax has to be spent for that purpose alone. If any amount is not necessary for that purpose, the surplus has to accumulate. In other words, if one per cent. is sufficient, then that alone need be collected. The Municipality is not entitled to raise the collection by even half per cent. That is the position.

Building and land tax is the only tax available for other general purposes. The present minimum is 2½ per cent. The Bill provides for a 3 % minimising. The increase is only ½ %. The minimum which the municipality is now compelled to levy is admittedly insufficient for defraying the expenses connected with it. It was only at the instance of the municipality that some increase had to be suggested. Therefore

the minimum has been raised by half per cent. No doubt there is a maximum fixed for the purpose of taxation. Although in the original bill there was no proposal to fix any maximum, in a growing city like Trivandrum, it may not be justifiable to fix no maximum at all. The maximum has now been fixed by the joint committee. My point is that, there is no justification whatever for lowering the minimum fixed in this bill. In a matter like this, if the municipality is competent to levy at a rate not below 2½ per cent. and not exceeding 5 per cent., the municipality no doubt would levy only 2½ per cent. But we say that the municipality shall levy by half a per cent. more. There is a margin of 5 per cent. left to be collected. From what we get, distribution has to take place for various other items. It is now conceded that 2½ per cent. levied on building is insufficient for the purpose for which the tax is levied. It is on account of shortage in revenue collection that the municipality has to depend on Government's help. They plead inability to contribute for various purposes for which the municipality ought to be prepared to. Therefore, we should not be so very niggardly in all these matters. There is a city, there is to be a mayor, and there is to be a corporation. If the members of the House are agreed to have a corporation with all the dignities and responsibilities attached there to, this House should not be unwilling to vote for a slightly enhanced contribution tothe extent of half a per cent. You must pay for what you enjoy. It is conceded on all hands that 2½ per cent. collection now made is insufficient. It has also to be noted that the Trivandrum Municipality has been awaiting this Act for the revision of its house tax. As a matter of fact, every municipality is bound to revise the house tax every 5 years.

MR. M. SIVATHANU PILLAI : May I know how many years since the Trivandrum Municipality has cared to revise house tax ?

MR. PUTHUPALLI S. KRISHNA PILLAI: Expecting that this bill would come into law, house tax has not been revised at all.

MR. M. SIVATHANU PILLAI : Am I then to take it that no revision need be effected at all in respect of tax on buildings ?

MR. PUTHUPALLI S. KRISHNA PILLAI; In Trivandrum it is a long time since the revision took place. We must take into consideration the present position, the present tendencies and the present requirements of the municipality in the first instance. It is on a consideration of all those factors that the bill has provided a minimum of 3 per cent. Under these circumstances, I, very strongly oppose the amendment. Already one per cent. sanitary tax is lost. If the corporation is to function as such, we should not give up this half per cent.

MR. M. SIVATHANU PILLAI: May I know in which year the Trivandrum Municipality last revised its house tax at all ?

MR. PUTHUPALLI S. KRISHNA PILLAI: The time for revision has elapsed. Even though the Government had been trying to insist on a general revision the municipality has not adopted the onerous responsibility of making any revision on the ground that this bill will come into law.

MR. M. SIVATHANU PILLAI: Sir, I must oppose the amendment. I am surprised to learn from the Legal Remembrancer, when he vehemently asserted, that the Trivandrum Municipality had not thought it fit to revise the house assessment as enjoined by the general rules on the subject. It is all the more surprising when such a course of revision was not adopted in spite of the repeated requests by Government. When such is the position of the Trivandrum Municipality, I would certainly not endorse their action. My position is that, fortunately or unfortunately, I have been the President of a Municipality which is supposed to be the second town in this State, namely Nagercoil. More than 5 months back, the Municipality revised the house tax. Exactly five years before that, again, the house tax was revised. So much so, revision followed as per the rules regulated for the purpose. The rental value goes on increasing on every occasion when the revision of assessment is made.

MR. KOTTALIL P. ABRAHAM: May I know that rental value?

MR. M. SIVATHANU PILLAI: I will come to that. It would be surprising to know that the Nagercoil Municipality, to start with, assessed at a rate of 3½ per cent. because they realised that the money collected from the people should be remitted back to them in the form of increased amenities to the town. Hence it was that, from the very start of the Municipality, 3½ per cent. assessment rate was collected.

In this connection, I do not accept the arguments put forward by Mr. G. Narayanan Tampi or of the Legal Remembrancer when they said that hospitals have been put up, water and lighting arrangements have been excellently made and that lighting tax was still reduced for a forty walt bulb burning 6 hours a day. That reduction also was made by Government for electricity consumption. Yet to say that taxation is burdensome in Trivandrum is not justifiable. Look at the case of Nagercoil Municipality. The Government do not provide for as many amenities in Nagercoil as in Trivandrum. There the private licensee for supply of electric energy for street lighting was demanding 25 Rs. rate for the same bulbs in Trivandrum which costs only 19 Rs; and very recently the Government officers were found to be very keen in securing for that licensee a rate of 27½. Rs. for the same bulb for the same period.

PRESIDENT: The member is not in order in referring to it.

MR. M. SIVATHANU PILLAI: That is only an aside, Sir. My point, therefore is, when the mofussil municipal towns are exercising their function as per the rules, the Government do not pay more contribution to them. But in regard to Trivandrum, a different treatment is meted out. There are certain kinds of taxes to be imposed on the people. In some cases the levy of that may have to be increased as and when the occasion demands. There is no meaning in contending that house tax assessment rate should be so low as 2½ per cent. The corporation has got to find money from its citizens and spend it on them

That is my main argument. Secondly according to the mover, this 2½ per cent. rate is only a temporary arrangement. It seems that in the city of Trivandrum they hope to increase the house tax by 1 per cent. more. What I wish to say by way of summing up is that if the house tax is to be increased it should be increased not by 1 per cent. but by 2 per cent. I believe it is 20 years since the Municipal Act came into force. I do not know why the minimum of tax should not be assessed at the rate of 3 per cent. at least. If there was an amendment that it should be raised by 4 per cent., I would have accepted it.

MR. PUTHUPALLI S. KRISHNA PILLAI: One word by way of explanation. There seems to be some misunderstanding. The upper limit is not considerably increased. Under the existing Municipal Act a maximum of 5 per cent. by way of house tax and 10 per cent. by way of water tax and drainage tax *i. e.*, a total of 15 per cent. can be levied. The maximum under the proposed Bill is also 15 per cent. The various items of tax are limited to 15 per cent. The joint Committee were careful to see that the maximum is not in any way raised. If the Municipality wants to impose 15 per cent. tax it can do so.

MR. S. NATARAJA PILLAI: I do not press the amendment.

The amendment by leave was withdrawn.

MR. S. NATARAJA PILLAI: Sir, I move that:—"In Clause 95, Sub-Clause 2, add the following as another proviso provided further that lands used for agricultural purposes shall not be taxed". In the present Municipal Act there is a proviso which says that no place which is used other than as a garden or appurtenant to a house shall be taxed. If the place is used for agricultural purposes, it shall not be taxed. My amendment seeks to exempt lands within the Municipal area, used for agricultural purposes. Though Trivandrum is called a city, it is only a rural town. Large portions of Manakad, Chalai, Kaithamukku and other places, comprise garden lands both wet and dry. It is hard to levy tax on these sites also when they pay a tax to the Revenue Department. Though these places are within the Municipal area and are under the Municipal administration, they do not get any special amenities or special advantages from the Municipality. Gradually as these wet lands and gardens are turned into house sites, it will be time to tax them. This amendment exempts only agricultural lands. It is a necessary and highly desirable exemption and I commend it to the acceptance of the House.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: In seconding this amendment I wish to make a few observations. In the Trivandrum Municipality, I have the privilege to represent one of the wards in Petta which covers 2 square miles of which about 1 square mile is paddy field. There are large tracts of paddy fields around the houses which are cultivated. If these paddy fields are to be taxed, then it is a great hardship In that ward there are bunds which are exclusively used for cocoanut cultivation. There are small huts occupied by poor people and the land owners do not fetch anything in the form of income. If these lands are exclusively used for agricultural purposes, then they should not be levied to any tax by the Municipality.

MR. PUTHUPALLI S. KRISHNA PILLAI: Under the existing Act there is this exemption. It is not the intention to levy any property tax in the case of lands used solely for agricultural purposes. Provided the words "solely" is added, I have no objection to accept the amendment. The amendment would then read thus:—"provided further that lands used solely for agricultural purposes shall not be taxed".

MR. S. NATARAJA PILLAI: I accept the amendment if it is meant thereby that if there is a house attached to a garden the whole garden would not be subject to a land tax by the Municipality.

PRESIDENT: It would not.

The amendment was put to vote and carried.

The question that clause 95 as amended, do form part of the Bill was put to vote and carried.

The clause was added to the bill.

Clause 96.

MR. S. NATARAJA PILLAI: I beg to move "In Clause 96, Sub-clause (2) delete the words "ten per centum" and substitute instead "sixteen and a half per centum.". The Clause as amended will read thus. "The annual value of lands and buildings shall be deemed to be the gross annual rent at which they may (at the time of assessment) reasonably be expected to let from month to month or from year to year, less a deduction of sixteen and a half per centum of such annual rent and the said deduction shall be in lieu of all allowance for repairs or on any other account whatever." In the levy of house tax, the Department is directed to deduct two months' rent towards repairs. That is the provision in the present Act. But here, only 10 per cent. is allowed towards repairs. That is too small a percentage. The existing reduction should be maintained. That will work up to 16½ per cent.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: I oppose it.

The Bill proposes only 10 per cent. reduction. Various deductions are made on different basis. Under the Income Tax deductions are made. Under the existing Municipal Act deductions are made on certain percentages. Here it is proposed that only 10 per cent. reduction will be allowed. It can not be denied that this is reasonable. So I oppose the amendment.

The amendment was put to vote and lost.

The motion that Clause 96 stand part of the Bill was put and carried.

The Clause was added on to the Bill.

Clauses 97 to 138.

Motion that clauses 97 to 138 stand part of the Bill was put and carried.

Clauses 97 to 138 were added on to the Bill.

Clauses 139 to 191.

Motion that clauses 139 to 191 stand part of the Bill was put and carried.

Clauses 139 to 191 were added on to the Bill.

Clauses 192 to 203.

Motion that Clauses 192 to 203 stand part of the Bill was put and carried.

Clauses 192 to 203 were added on to the Bill.

Clause 204.

MR. S. NATARAJA PILLAI: Sir, I wish to make a slight change to the amendment of which I have already given notice. The following is the original amendment:

Add the following Sub-clauses as (6) and (7) in Clause 204:

"(6) It shall not be lawful for any person to throw, put or cause to be thrown or put into any public or private street or, in any drain. tank, reservoir, conduit, fountain, well or other place set apart by or vested in the Corporation, any animal or thing whereby the street, drain, tank, reservoir, conduit, fountain, well or other place may be fouled or contaminated.

Sir, I do not move the first part, but beg permission to move the second in a slightly altered form. The motion is as follows:— In clause 204 the following shall be added on sub-clause (6) namely:

(7) No person shall commit nuisance by easing himself in any street, public place or thoroughfare or permit any person under his control to commit a nuisance as above said."

There is no provision in this Act for discouraging or punishing nuisances committed. Perhaps the Madras Police Act also does not contain any corresponding provision.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second the motion.

The motion was put to vote and carried.

The motion that clause 204 as amended stand part of the bill was put and carried.

The clause was added to the bill.

Clauses 205 to 281.

The motion that Clauses 205 to 281 stand part of the Bill was put and carried.

Clauses 205 to 281 were added on to the Bill.

Clause 282.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move the following amendment:

Clause 282 shall be re-numbered as sub-clause (1) of that Clause, and the following shall be added as sub-clause (2) namely:—

"(2) Our Government may, by notification in Our Government Gazette, exempt any person or institution from the provisions of this Chapter relating to the taking out of licenses or payment of fees therefor."

[Mr. Puthupalli S. Krishna Pillai.]

Sir, at present there is no similar provision either in the existing Act or in the Bill. On account of the absence of this provision several deserving cases have gone without relief. In such cases the provision of law had to be got over by making contribution by the Municipal Chairman or by any public spirited man for the purpose for enabling them to make payment of licence fee. The absence of such a provision in the Madras Act is now sought to be remedied. In Cochin also a Bill for the purpose has been introduced. This power will of course be exercised only in deserving cases.

MR. M. SIVATHANU PILLAI: Is there any instance to show that an institution has suffered on account of the absence of a provision like this.

MR. PUTHUPALLI S. KRISHNA PILLAI: At present there is no power to exempt any person from taking out a licence. It is now proposed that there should be a general power for exempting any person from taking out a licence.

The amendment was put and carried.

The motion that clause 282 as amended stand part of the Bill was put and carried.

Clause 282 was added on to the Bill.

Clause 283.

The motion that clause 283 stand part of the bill was put and carried.

The clause was added to the Bill.

Clause 284.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Clause 284 Sub-clause (a) after "keep pigs" add "or buffaloes."

Sir, this amendment is necessary because in Trivandrum buffaloes have become a nuisance and they are also the source of mosquito breeding in the Town. The inclusion of buffaloes was omitted here perhaps because in the Madras Act it was not included. I shall point out one instance of the undesirability of keeping buffaloes in the town. The Director of Public Health himself very well knows that there is a locality opposite Women and Children's Hospital, Taikad where buffaloes are kept in large numbers.

PRESIDENT: Presumably for supplying milk to the Hospital.

MR. S. NATARAJA PILLAI: The whole place is insanitary. The owners would not take licences. Repeated requests were made to them by the Municipal Council. Prosecutions were also launched against them but they got only a few chuckrams fine as punishment. I think that that policy should be changed. Therefore buffaloes should also be included in this Section.

MR. M. SIVATHANU PILLAI: I second the motion.

The amendment was put to vote and carried.

The motion that Clause 284 as amended stand part of the Bill wa put to vote and carried.

The Clause as amended was added on to the Bill.

Clauses 285 to 365.

Motion that Clauses 285 to 365 stand part of the Bill was put to vote and carried.

Clauses 285 to 365 were added on to the Bill.

Clause 366.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In clause 366 the following shall be inserted as sub-clause (XXX) renumbering the existing sub-clauses (xxx) and (xxxi) as sub-clauses (xxxi) and (xxxii) "(xxx) for the regulation, inspection and control of places of public entertainment."

MR. M. SIVATHANU PILLAI: I second it.

The amendment was put to vote and carried.

The motion that clause 366 as amended stand part of the Bill was put and carried.

Clause 366 as amended was added on to the Bill.

Clauses 367 to 403.

The motion that Clauses 367 to 403 stand part of the Bill was put and carried.

Clauses 367 to 403 were added on to the Bill.

Clause 404.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment to Clause 404:—

"In Clause 404, instead of the words "nine percentum" substitute "six per centum."

Sir, my amendment seeks only to reduce the rate of interest to benefit the poor defaulters.

MR. M. SIVATHANU PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: I have no objection to accept the amendment.

The amendment was put to vote and carried.

Motion that Clause 404 as amended stand part of the Bill was put to the vote of the House and carried.

Clause 404 was added on to the Bill.

Clauses 405 to 438.

The motion that Clauses 405 to 438 stand part of the Bill was put to vote and carried.

Clauses 405 to 438 were added on to the Bill.

Schedule I.

The motion that Schedule I stand part of the Bill was put and carried.

Schedule I was added on to the Bill.

Schedule II.

PART II.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I have an amendment to propose to Part II, of Schedule II. The amendment is as follows:—

(i) the sub-heading "Tax on persons holding appointments for exercising professions, arts, trades and callings" occurring in Rule 16 shall be deleted; and

(ii) the following note shall be added at the end of Class xv", namely :—

"Note.— A person in receipt of a pension paid from any source shall be deemed to be a person holding an appointment for the purpose of assessment."

Sir, the object of this amendment is only to remove an ambiguity that has arisen. It is definitely stated that pensioners shall be liable to profession tax.

MR. M. K. GOPALA PILLAI: I second the motion.

The amendment was put to vote and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The Schedule as amended was added to the Bill.

Schedule II.

PART III.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Schedule II, Part III, delete the word "male" occurring before the word "buffalo."

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second.

The amendment was put and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The schedule as amended was added to the Bill.

Schedule II.

PART VI.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Schedule II Part VI, in Section 36, in the Schedule of Fee, against "25 rupees and under 50 rupees" delete "Re. one" and substitute "chs. fourteen"

Sir, this amendment seeks to help the poor man whose property is attached.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I leave the matter entirely to the decision of the House. But my own impression is that in such cases the amount now proposed by the Committee is

reasonable. More-over in all these matters Government have got the power to effect changes.

The amendment was put to vote and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule III.

The motion that Schedule III form part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule IV.

MR. S. NATARAJA PILLAI: Sir, I shall move a slightly changed amendment:

> "That in Schedule IV add after the words' Aloe fibre and year etc.........by any process whatsoever," another clause "Arecanuts Soaking of cadjans and cocoanut husks."

PRESIDENT: I think the amendment of which the Legal Remembrancer has given notice is more comprehensive.

MR. S. NATARAJA PILLAI: Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI: I gave amendments only on matters which are not comprised in this. Cocoanut comes, but not arecanuts. The second amendment proposed by me is only consequential. The form of this amendment will be "after the item 'ammunition,' the following shall be inserted " arecanuts-soaking of."

PRESIDENT: And then?

MR. PUTHUPALLI S. KRISHNA PILLAI: And then mine will come. That will be put separately.

PRESIDENT: Yes, I understand.

MR. S. NATARAJA PILLAI: I accept the suggestion.

Motion put and carried that in Schedule IV, after the item "ammunition" insert the following:—arecanuts-soaking of."

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move (I) "In Schedule IV, after the item "Cocoanut fibre," the following new item shall be inserted, namely:—

"Cocoanut husks and cadjan leaves-soaking of-" (2) In Schedule IV, for the abbreviations "do. do." occurring against the item "Coir Yarn," the following words shall be substituted, namely:—

"Storing, packing, pressing, cleansing, preparing or manufacturing by any process whatever."

(3) In Schedule IV, after the item "Confectionary" the following new item shall be inserted, namely:—

"Copra-preparing or storing or selling wholesale."

(4) In Schedule IV, in the proviso occurring after the item "Yarn."

(i) after the words "boiling paddy" the words "or for soaking arecanuts" shall be inserted; and

[Mr. Puthupalli S. Krishna Pillai.]

(ii) after the words "storage or boiling" the words "or soaking" shall be inserted."

Sir, one word alone by way of explanation. These items are not specifically included in the Schedule and the attempt is now made to cure an apparent ambiguity. It may be possible to bring this under one or other items mentioned here. But it is better to include these items specifically. The last amendment proposed will read like this. "Boiling paddy is allowed to be done only under a license. By way of explanation, it is stated "provided that no license shall be required... for boiling paddy for domestic use." Soaking arecanuts is a common thing among our people here, but it is considered to be a breeding place for the mosquitoes. Hence these changes.

MR. M. K. GOPALA PILLAI: I second it.

The amendment was put and carried.

MR. S. NATARAJA PILLAI: Sir, I beg to move that "In Schedule IV, in the clause, "keeping together pigs" etc., after the words "sheep or goats or" the words "two or more buffaloes or" shall be inserted.

MR. M. SIVATHANU PILLAI: I second it.

The motion was put and carried.

The motion that the Schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule V.

MR. S. NATARAJA PILLAI: I beg to move:

In Schedule V the following shall be added to the item against section 204 namely:—

"(6) committing nuisance in public streets etc., ten rupees.

Nuisance is now an offence and so punishment has been given. Instead of Rs. 50, I propose Rs. 10.

MR. PUTHUPALLI S. KRISHNA PILLAI: I accept the amendment.

The motion was put and carried.

The motion that the schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

PRESIDENT: A number of amendments have been passed. Are you moving the third reading now?

MR. PUTHUPALLI S. KRISHNA PILLAI: Not now, Sir.

PRESIDENT: You will look into them and see if they fit in.

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes, Sir.

Travancore Companies Act Amendment Bill.

Sir, I rise to introduce the Travancore Companies Act Amendment Bill and move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be the Travancore Companies Act Amendment Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move that the Bill be referred to a Select Committee consisting of

Messrs:
S. Chattanatha Karayalar
K. Dominic Joseph
E. E. Pandarathil
M. L. Janardana Pillai
N. V. Joseph
Murukkumpuzha V. Kunjukrishnan
T. C. Kesava Pillai
K. P. Kochukoratharakan
J. W. Tolson
N. John Joseph
G. Velu Pillai.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE COMPANIES ACT SECOND AMENDMENT BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I request you to permit me to deal with the Companies further Amendments Bill appearing later on in the Agenda, as item No. 9.

PRESIDENT: Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI. Sir, I rise to introduce the Bill to further amend the Travancore Companies Act and move that the same be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Companies Act Second Amendment Bill."

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I submit that this second Bill was published in the Government Gazette only some time after the first Bill was published. Both relate to the same Act and the Bill may be referred to the Select Committee to which the first Bill was referred-the Select Committee to report within three months. The report can be submitted sooner.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE PAYMENT OF WAGES BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir I rise to introduce the Travancore Payment of Wages Bill. Government have already enacted several measures relating to labour in this State. This Bill is only to further supplement such laws. Many complaints were received by Government that the payment of wages in factories was not regular. A Board was appointed by Government to go into the whole question and they inquired into the conditions prevailing in Alleppey, particularly, those relating to mats and matting industry. They have stated that

[Mr. Puthupalli S. Krishna Pillai]

it is absolutely necessary for legislation on this matter. Hence the Bill. It is based on the British Indian Act. It is applicable to the factories in the first instance but power is vested with the Government to extend it to other industrial establishments. I move that the bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I Second.

MR. K. NARAYANAPERUMAL NADAR: Sir, Section 4 of the Bill says that no wage period shall exceed a month. The Royal Commission on Labour on page 240 of their report observes thus: "Our conclusion then is, that the prevalence of a monthly period of month is not in the best interests of the employees. We recommend the general adoption of a system of weekly payments in the belief that it will have important effects on both welfare and efficiency. The advantages to be gained are, in our view, so obvious and definite that the State would be justified in intervening to enforce the general adoption of weekly payments if this could be secured without an unreasonable amount of dislocation to industry. So, I am of opinion that the maximum wage period should be shortened. If the maximum wage period is fixed as one month, the poor labourer may find it hard to get anything to maintain the first few weeks of his employment. They will have to borrow and borrowing will entail heavy loss to them, because they will have to pay a higher price for any article that they borrow from the shops. Therefore, as the Royal Commission observed, the maximum of wage period should be shortened. Moreover, in the Indian Legislative Assembly, as is seen by the proceedings for 1936, Mr. N. M. Joshi, who is a labour leader and who is a member of the Royal Commission on labour, has moved an amendment to the effect that the wage period should be shortened.

Then there is no reason why the application of this measure should not be extended to some hard cases of labourers in other type of factories also. In Act VIII of 1114, "factory" is defined as "any premises including the precincts thereof whereon 20 or more workers are working or were working on any day of the preceding 12 months and in any part of which a manufacturing process is carried on with the aid of power or is so ordinarily carried on but does not include a mine subject to the operation of the Travancore Mines and Mineral Regulation."

It is therefore clear that the definition of the factory is very much restricted in sense. It should be extended and what the Royal Commission on labour has said about the monthly payment of wages should be applied, as far as pssible, to mines, plantations and like things. In Travancore there are two or three industries for which a legislation of the kind proposed is quite necessary. Those are mines, salt pans and plantations. The report regarding labour conditions in the mats and matting industry contains certain statements. That is embodied in page 2 of the report. Such conditions obtain to a large extent in mines and salt factories. I am the president of the Labour Union, South Travancore. Certain references were made about labour leaders this morning when the Dewan

President spoke this morning on the war condition and some important international problems. Hence I now propose to deal with the grievances of the labourers in Manavalakurichi.

PRESIDENT : There was no personal reference at all.

MR. K. NARAYANAPERUMAL NADAR : But I had expected that reference would be made about some labour leaders.

PRESIDENT : The honourable member need not be at pains to dissociate himself from these remarks. But I never meant the honourable member.

MR. K. NARAYANAPERUMAL NADAR : In the first instance, this Bill should apply to labourers employed in mines. Very recently in a factory at Manavalakurichi, one Nadar labourer named சந்தணகுமார் நாடார் died. That fact was neither reported to Government nor to the Division Peishkar and no compensation was paid to his family.

MR. M. SIVATHANU PILLAI : In which factory at Manavalakurichy please ?

MR. K. NARAYANAPERUMAL NADAR : In Hopkins and Williams & Co., where the manager is one Mr.—

MR. M. SIVATHANU PILLAI : When was it please?

MR. K. NARAYANAPERUMAL NADAR : Very recently. In salt factories there are grievances of labourers about which Mr. D. C. Joseph has written in his journal. He is now the President of a Salt Factory Union. He was a member of the old Legislative Council. He is the editor of two papers, one in English the Travancore Times and the other a Tamil paper. On 7th June 1940, he has written as follows in his Tamil paper :

இந்த திவான்ஜிகாலத்தில் பொதுஜனங்களின் சங்கடங்கள் நிவிர்த்தியாகுவதும் உண்மை. தென் திருவிதாங்கூர் உப்பளம் தொழிலாளர்கள் சங்கடங்கள் இன்னும் தொடர்ந்து நடப்பிலிருக்கின்றன. 5 லக்ஷம் ரூபாய்க்குமேல் ஏழைத் தொழிலாளர்கள் சம்பளங்கள் பாக்கியிருக்கின்றன. பெற்றிஷனுக்கு மேல் பெற்றிஷன்களும், கூட்டங்களுக்கு மேல் கூட்டங்களும், பத்திரிகை எழுத்துக்கு மேல் எழுத்துகள் எழுதியும் யாதொரு பிரயோஜனமுமில்லை. இரண்டுகால் மிருகங்கள் போல் இன்னும் உப்பளம் தொழிலாளர் கஷ்டம் அனுபவிக்கிறார்கள்.

That is a very important point.

PRESIDENT : I have no objection to the honourable member reading out the extracts. But does the member make himself responsible for the statement that Rs. 5 lakhs are in arrears.

MR. K. NARAYANAPERUMAL NADAR : I hold myself responsible to the extent published in the paper (*Laughter*).

PRESIDENT : Then the honourable member will please assimilate that in his own remarks.

MR. K. NARAYANAPERUMAL NADAR : One thing is certain. I come from a constituency where there are salt factories in abundance. I know first hand of the conditions of labourers in factories in Tovala and Agastiswaram. It is a well known fact that 95 per cent. of the

[Mr. K Narayanaperumal Nadar]

labourers are Nadars and many of them are voters too. There is great truth in what I say concerning labourers. So then, my point is that the Bill should be made applicable to labourers in salt factories also.

Again there is a proviso to sub-clause (2) of clause 9 in the proposed Bill. It reads thus "provided that subject to any rules made in this behalf by Our Government, if ten or more employed persons acting in concert absent themselves, without due notice (that is to say without giving the notice which is required under the terms of their contracts of employment)........... and so forth". I am lead to think that it is a provision relating to anti-strikes. Moreover, it is said that wages for eight days will be deducted if ten or more persons absent themselves for one day without notice. Suppose 10 or 15 people attend a funeral ceremony or say a public meeting, then 8 days' pay will be deducted. That may seem to be the implication. Whether there was a reasonable cause for absence, is to be proved in a court of law.

PRESIDENT: Presumably both the ceremony and the meeting could be made a reasonable cause for absence.

MR. K. NARAYANAPERUMAL NADAR: Yes, Sir, I see that. But they may be absent without any intention to go on a strike. I am always a sympathiser of strikes. I do not say therefore that a strike should be legalised. Everybody should know that strike is the last weapon of the labourer to get his grievances redressed. With these remarks I agree to the general principle of the Bill.

SAHIB BAHADUR P. S. MUHAMED: സർ, ഈ ബില്ലിൽ ആദ്യം ഫാക്ററിയിലുള്ള തൊഴിലാളികളെ മാത്രമെ സംബന്ധപ്പെടുത്തിയിരുന്നുള്ളു. പിന്നീട് ഇൻഡസ്ട്രിയൽ എസ്റ്റാബ്ളിഷ്മെൻറിലുള്ള തൊഴിലാളികളേയും കൂടി ഉൾപ്പെടുത്തി എന്നു പറയുന്നു. ഡെഫിനിഷൻ അനുസരിച്ച് പോർട്ടിലുള്ള തൊഴിലാളികളെ ഉൾപ്പെടുത്താൻ നിവൃത്തിയില്ല. പതിനായിരം തൊഴിലാളികൾ ജോലി ചെയ്യുന്ന സ്ഥലത്ത് രണ്ടോ മൂന്നൊ നാലോ തവണയായിട്ടെങ്കിലും കൂലി കൊടുക്കേണ്ടതാണ്. സമയത്തിനു കൂലി കൊടുക്കുകയും അനാവശ്യമായി കൂലി കുറയ്ക്കാതിരിക്കയും ചെയ്യത്തക്കവണ്ണം ഈ ബില്ലിനെ എല്ലാ തൊഴിലാളികൾക്കും അപ്ലൈ ചെയ്യത്തക്ക നിലയിൽ എക്സ്റ്റെൻറു ചെയ്യണമെന്നാണ് ഞാൻ ആവശ്യപ്പെടുന്നത്. ഒരു മാസത്തിനകമെങ്കിലും കൂലി കൊടുക്കണം. അനാവശ്യമായി ഫൈൻ മുതലായ ശിക്ഷകൾ ചെയ്തു കൂലി കുറയ്ക്കരുത്. സ്റ്റീം വെസൽസിൽ ജോലി ചെയ്യുന്നവരെ ഇതിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ടെങ്കിലും ബോട്ടുകൂലിക്കാരെ ഇതിൽ ചേർത്തിട്ടില്ല. ഇതു ശരിയല്ല. ഇൻഡസ്ട്രിയൽ തൊഴിലാളികളെ എല്ലാം ഇതിൽ ചേർക്കണം.

കഴിഞ്ഞ ൧൭ കൊല്ലങ്ങളായി തൊഴിലാളികളുമായി ഞാൻ ഒരു വിധത്തിൽ ബന്ധിച്ചിരിക്കയാണ്. നാലു ചക്രമേ കൂലിയുള്ളുവെങ്കിലും അതു കുറയ്ക്കാതെ പണമായിട്ടുതന്നെ അവർക്കു കൊടുക്കണം. അങ്ങിനെ കൊടുത്താൽ സ്ട്രൈക്ക് ഉണ്ടാവുകയില്ല. മി: നാരായണപ്പെരുമാൾ നാടാർ സ്ട്രൈക്കിനോടു അദ്ദേഹത്തിനു അനുതാപമുണ്ടെന്നാണ് പ്രസ്താവിച്ചത്. എനിക്ക് അതിനോട് അനുതാപമില്ല. അതുകൊണ്ട് എല്ലാ തൊഴിലാളികളേയും ബാധിക്കത്തക്ക നിലയിൽ വേണ്ട വ്യവസ്ഥകൾ ഈ നിയമത്തിൽ വരുത്തണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, in my opinion all the suggestions made by Messrs. Nadar and Mahomed are quite appropriate and may be considered and disposed of by the Select Committee. I am sure their misapprehensions could be cleared there.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Payment of Wages Bill".

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that the Travancore Payment of Wages Bill be referred to a Select Committee consisting of :—

Messrs. S. Krishna Aiyar,
N. R. Krishnan,
K. C. Karunakaran,
M. G. Kesava Pillai,
M. Sivathanu Pillai,
J. W. Tolson,
T. P. Velayudhan Pillai,
H. O. L. Marikkar,
K. R. Narayanan,
Kodiveettil C. Raman Kunju,
Srimathi T. Narayani Amma,
Messrs. J. E. A. Pereira,
K. A. Mahomed, and.
K. Narayanaperumal Nadar.

The Select Committee to report within three months.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE EXPLOSIVES BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Travancore Explosives Bill. In the statement of objects and reasons the necessity for the Bill is succinctly explained. We have an Explosive Act. But it is rather old, for, it was enacted in 1079. During the last several years during which it was in operation, no attempt was made to bring the Act into line with the law prevailing in British India. Moreover the existing Act is very much restricted in scope. As stated

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by me it deals with the possession and use of explosives. It does not centain sufficient provisions enabling Government to deal effectively with the manufacture, sale, transport, export and import of explosives and important developments connected with explosives. Hence the Bill. It is on the lines of the Act in force in British India. The main principles in the existing Act are maintained intact. I move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Explosives Bill".

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Bill be referred to a Select Committee consisting of.:—

Messrs. 1. E. Subramonia Aiyar,
2. Kottalil P. Abraham,
3. P. C Adichan,
4. M. L. D'Cruz,
5. V. Chandamiah Sahib,
6. C. Jabamony Nadar,
7. M. K. Makar Pillai,
8. N. Ramakrishna Pillai,
9. Kainikkara M. Padmanabha Pillai,
10. K. G. Govindan, and
11. M. Ramiah Pillai.

The Select Committee to report within three months.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

THE GOVERNMENT TRADING TAXATION BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Government Trading Taxation Bill. It is a very simple Bill and it is intended to enable Government to tax other Governments carrying on business in this State. A similar law is in force in British India and Cochin. The absence of such a law has led to certain difficulties. The Bill is drafted on the lines of the corresponding British Indian Enactment. I therefore move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

PRESIDENT: Do you want the standing order to be suspended?

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes, Sir.

SECRETRAY: "The title of the Bill shall be "The Government Trading Taxation Bill".

PRESIDENT: The matter is really urgent. There is the possibility of other Government agencies coming and trading here and it is well that this provision is availed of.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that the Governmeat Trading Taxation Bill be taken into consideration.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried

Clauses 1 and 2.

The question that clauses 1 and 2 do form part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble.

The question that the preamble do form part of the Bill was put and carried.

The preamble was added to the Bill.

Title.

The question that the title do form part of the Bill was put and carried.

The title was added to the Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: No amendment to the Bill has been proposed and therefore I propose to move that the Bill be passed. But before that there is a slight verbal alteration to be made. In sub-clause (1) of clause 1 after the figure "111" add the figure "5".

The amendment was put to vote and carried.

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Bill be passed.

MR. M. K. GOPALA PILLAI: I second it.

The question that the Bill be passed was put to vote and carried.

THE TRAVANCORE REGISTRATION ACT AMENDMENT BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Travancore Registration Act Amendment Bill. As honourable members might see it deals with only two clauses. The first clause is intended to obviate certain difficulties arising from the existing provision relating to the production of documents by authorised agents. It sometimes happens that a document produced by an agent for registration becomes invalid as a result of some defect in the appointment of the agent. This may be discovered only several years after, but it may be too late to rectify the defect. Hence the first clause.

The other clause deals with the deletion of Section 48 of the Act. Section 48 lays down that copies of some indexes should be prepared and kept in the Central Records Office. These records do not serve any useful purpose. The originals themselves are kept in the Registration Office and they are checked by the District Registrar. The copies prepared under Section 48 are swelling the records in the Central Office. These records are not made use of for any purpose, either by the parties or by the Department. Hence it is proposed to repeal this provision. I move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be the Travancore Registration Act Amendment Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: I request you Sir, to suspend the standing order and permit me to move that the Bill be taken into consideration.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

Clauses 1 to 3.

The question that clauses 1 to 3 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Preamble.

The question that the preamble do form part of the Bill was put to vote and carried.

The preamble was added to the Bill.

Title.

The question that the title do form part of the Bill was put to vote and carried.

The title was added to the Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I now move that the Bill be pessed. But before doing that, I beg to move the following amendment.

"In sub-clause (1) of clause 1 add the figure "5" after the figure "111".

MR. M. K. GOPALA PILLAI: I second it.

The amendment was put to vote and carried.

The question that the Bill be passed was put to vote and carried.

THE TRAVANCORE PATENTS AND DESIGNS BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: I rise to introduce the Travancore Patent and Designs Bill. We have already an Act relating to it. So the question may be asked why we should have a new Act on the lines proposed in this Bill. The reason is very simple and it is explained in the Statement of Objects and Reasons attached to the Bill. Our Act is Act X of 1090 and it was based on the British Indian Act II of 1911. Since then no attempt was made to keep the law up to date. It is now found that we are far behind the times. Protection has been given to Patents registered in this State, but a Patient so registered should get protection in British India and other States like Cochin, Mysore and Hyderabad. If that is to be obtained we have to give reciprocal protection to the Patents registered in those countries also. To acheive this our law should correspond to the law prevailing in those countries. The British Indian Act on which our Act is based has

undergone several changes. An Amendment Bill is very cumbersome. Hence the Bill in this form.

I move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be "The Travancore Patents and Designs Bill".

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Travancore Patents and Designs Bill be referred to a Select Committee consisting of the following members :—

Messrs.
1. S. Chattanatha Karayalar,
2. C. Jabamony Nadar,
3. K. C. Karunakaran,
4. Kannanthodathu Janardhanan Nair,
5. T. T. Kesavan Sastri,
6. Mathai Chemparathy,
7. R. Narayanan Namboothiri,
8. K. R. Narayanan,
9. N. V. Joseph,
10. P. Narayana Pillai, and
11. Sry. T. Narayani Amma.

The Select Committee to report within three months.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

THE TRAVANCORE HINDU RELIGIOUS ENDOWMENTS ACT AMENDMENT BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: I beg to introduce the Travancore Hindu Religious Endowments Act Amendment Bill. The existing Act is found to be defective in various respects. It is proposed to add a sub-clause (*e*) to clause 3. It is stated that (*a*) for the words "In the cases of institutions not falling under Clause (1)" the following shall be substituted namely :—

"Notwithstanding anything contained in Clause (1)", and

(*b*) for the words "over them," the words "over any institution to which this Act applies".

It is found that the existing Act does not contain adequate provision for dealing with all cases of maladministration. It applies to certain restricted classes of trustees and only in the event of limited contingencies. Even where there is proved abuse of the privileges of a trustee, Government find it difficult to interfere on account of a small omission in the enabling section. This clause proposes to remove it and hence the amendment to clause 3.

Under Section 6, any officer not below the rank of a Peishkar is said to be the person who is to be nominated for the purpose. It is not always possible to nominate a Division Peishkar for the purpose of a making the enquiry, and therefore what is being done is to invest a

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person with the status of a Division Peishkar, or call that person a Division Peishkar for this purpose. Our Division Assistants are able and experienced officers and the Devaswom Assistant Commissioners are officers of status. Wherever it is not possible to nominate the Division Peishkar, Government should have power to depute some other officer for that purpose. After all, it is the Dewan who passes orders on these matters. Opportunities are given to parties to show cause why it should not be done. For the purpose of expeditious disposal of these matters wider freedom is sought to be conferred on Government in the matter of choosing the personage for making enquiries and submitting reports.

In sub-clause (2), the existing provision provides that the Dewan shall be competent to pass certain orders. But it does not authorise the Dewan to pass supplementary orders necessary for carrying out such orders.

Everybody will concede that when power is given to issue an order it involves the power also to give effect to that order. A penalty can however be enforced only if the order and the penalties are specifically provided for. It is proposed to remedy this defect in the existing Act.

Similarly a new section is proposed to be added to the Act. It is for giving effect to a trust where the trust fails in its main object. No doubt His Highness the Maharaja has got the prerogative right which entitles him to order that a certain trust may be devoted to a particular object, but a statutory power to apply the doctrine cyprus is now proposed. These are the main principles involved in this Bill. I move that the Bill be read.

MR. M. K. GOPALA PILLAI: I second the motion.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be the Travancore Hindu Religious Endowments Act Amendment Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Bill be referred to a Select Committee consisting of the following members:—

Messrs.
1. E. Subramonia Aiyar,
2. E. E. Pandarathil,
3. K. Kunju Panikar,
4. Murukkumpuzha V. Kunjukrishnan,
5. Kaviyoor Kochukunju,
6. N. Narayana Kurup,
7. T. Vivekanandam,
8. P. Narayana Pillai,
9. Thariathu Kunjithommen,
10. T. C. Kesava Pillai and,
11. Sry. Devaki Antharjanam.

The Select Committee to report within three months.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put to vote and carried.

The Bill was referred to the Select Committee.

THE TRAVANCORE PROVIDENT FUNDS BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Travancore Provident Funds Bill. There is a State Provident Fund intended for Government servants. It is worked under a certain set of rules made by Government. As the fund is created for certain purpose, the rules framed for carrying out the purpose are sometimes at variance with the general law, especially when third party rights are sought to be enforced. The fund has to be protected against voluntary alienation and alienation by process of law. The rules re: this can have legal sanction only if there is a statutory back ground for the same. Power is also proposed to be conferred on Government to extend the provisions of the Act to other Funds also. I move that the Bill be read.

MR. M. K. GOPALA PILLAI: I second the motion.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be "The Travancore Provident Funds Bill".

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Bill be referred to a Select Committee consisting of the following members:—

Messrs.
1. S. Chattanatha Karayalar,
2. D. Francis,
3. S. Govinda Pillai,
4. N. V. Joseph,
5. Joseph Vithayathil,
6. K. C. Karunakaran,
7. M. R. Narayana Pillai,
8. P. Kunjukrishnan,
9. P. Sivarama Pillai,
10. P. S. Muhamed and,
11. M. Sivathanu Pillai.

The Select Committee to report within 3 months.

MR. M. K. GOPALA PILLAI: I second the motion.

The motion was put to vote and carried.

THE TRAVANCORE DEBT RELIEF BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I now propose to introduce the last of the official bills tabled for introduction in this House during this session. Before formally moving that the Bill be read in the Assembly I wish to make some introductory remarks in order that the honourable members may more correctly appreciate the principles involved in this Bill.

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Sir, in preparing this Bill, Government had the privilege and as the draftsman of the Bill I had the opportunity of perusing the very valuable report submitted by the Debt Relief Enquiry Committee. In certain respects their recommendations have been accepted in full and in one or two important respects Government have found it expedient to be more liberal. No doubt they have not been able to agree with the Committee in one or two other matters, but they are merely matters of detail which in my opinion have not necessitated any matorial deviation in principle. The Committee's opinion that the difference between agricultural and non-agricultural debts is insignificant so far as this State is concerned has been adopted by Government and the Bill seeks to bring within its scope all debts which the Committee proposed to bring in. But Government have gone one step further. By the definition of the word 'Debtor' proposed by the Committee, they have excluded debts due from incorporated companies, but Government have included such debts also for purposes of the Bill. It only stands to reason that debts due from them also should be brought within the scope of this Bill, as otherwise it is likely to lead to inconvenient, nay disastrous results as far as such institutions are concerned. The Committee's recommendation was that debts due to them may be scaled down, but that debts due from them should be left unaffected. If this is so, every incorporated company will be driven to the painful necessity of applying for voluntary liquidation, because all the debts due to them will be scaled down, and every debt due from them will have to be paid in full. Government have decided that such a result should be avoided as far as possible. They have therefore proposed to bring within its scope debts due to and from incorporated companies. In the earlier stages of the debates on debt relief measures, there was some opinion in this House that a distinction should be maintained between small debts and big debts. Government were also inclined to adopt that view. On further consideration they have decided to adopt the Committee's opinion. The Committee's recommendation regarding exclusion of certain classes of debts has also been adopted by Government. These are enumerated in Clause 4 of the Bill. It will be noticed that to the few items suggested by the Committee Government, have added one more namely the balance of purchase money in respect of which a vendor's lien exists. In all places where debt relief legislation is in force, this class of debt has been excluded. It is in the interest of the bulk of the people in this State that such debts should be excluded. I may state here a word about "trade debts." Honourable members will note that the Debt Relief Enquiry Committee suggested that trade debts should be excluded. Government have adopted that suggestion. According to the Committee such debts are the balance due for value of articles purchased for purposes of trade and which balance is due under running accounts in operation at the present moment. By excluding all debts incurred after 1112, balance due under accounts in operation would stand excluded. By excluding the price due for articles purchased, trade debts as defined by the Committee would be completely

excluded. It may however be noted that the exclusion made in the Bill is more comprehensive than the Committee's recommendation. Under the Bill the value of articles purchased not only for purposes of trade, but for any purpose whatsoever will stand excluded. But Government could not reconcile themselves to the position that our agriculturists and industrialists from whom articles have been purchased by others should go without the fruits of their labours—the price of the goods produced and sold. Our agriculturists sell their produce every two months and in most cases such sales take place on credit Government are not willing to be a party to such a measure Our retail traders who owe money to the wholesale merchants would be materially affected if the Committee's proposal is adopted in its entirety; for while such traders will be compelled to pay in full, their constituents can claim the privileges under the enactment. This is likely to bring to a premature termination the bulk of our traders who cater to the wants of the public. There are other reasons as well. Take the case of those persons from whom our people have purchased articles of necessaries. Everybody purchase rise, paddy, condiments and various other articles necessary for food. Those persons who sell them do not grow these things in their gardens, but purchase them from outside. Most of them purchase on credit. It will rather stifle or even destroy the system of trade that is being carried on if we are to provide that the price of these articles need not be paid. You have taken these articles, consumed them, have grown fat on them. You should not be heard to say that you do not want to pay. Government are confident that it will be a suicidal policy to afford relief against such indebtedness.

Further, Government are more determined in the case of another set of people. There are several persons who have purchased articles of luxury. To adopt the recommendations of the Committee would be to afford protection in those cases. In order that all these debts may be excluded, I have proposed that money due as price of articles purchased for any purpose whatsoever should be excluded from the Bill. It is hoped that Government's view points will be appreciated by the honourable members. The recommendation of the Committee regarding exclusion of usufructuary mortgages subject to certain exceptions have been adopted by Government.

The burden of indebtedness is accentuated more by the accumulation of interest than by the debt itself. The Committee recommended varying rates for future interest, but in no case less than 4½ per cent. and in some cases going as high as 9 per cent. A reference to Clause 11 will show that Government have not adopted this view but have proposed a uniform rate of 4 per cent. in the case of money debts and 6 per cent. in the case of paddy debts. This is one step in advance of the Committee's view. Debts incurred before 1112 and remaining due on the date of the commencement of the Act, that is, debts remaining unpaid for nearly 4 years can, more or less, be treated as debts which the debtors are not able to pay. If the debts are to increase by accrual of future interest, it may be that the creditor never gets back his

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money. Hence Clause 11. Power is taken by Government under Clause 7 to exempt any class of institutions from the provisions of the Act. Government as at present advised propose to grant the exemption to the Travancore Credit Bank, the Imperial Bank and the Reserve Bank of India. The recommendations of the Committee concerning cancellation of sales have been fully adopted. Vide Clauses 12 and 13.

I now come to Clauses 8, 9 and 10, the substantive provisions of the Bill. I have explained how and to what extent Government have adopted the views of the Committee. The main point on which Government have not been able to agree with the Committee relates to the reopening and resettlement of all debts. Their recommendation is that reduction shall be made by reopening all settled accounts by calculating interest at a lower rate and by refusing to recognise renewals. It must be remembered that reduction is made only for the purpose of enabling the debtor to pay. It should not be for the purpose of penalising the creditor for doing or getting what he was entitled to in law. The elementary principle involved in a debt is the undertaking to repay. This should not be forgotten in proposing any debt relief measure. While both have agreed that reduction may be made, they have decided that it shall be only by payment of a portion of the debt.

Government have taken into consideration the views of the contending parties and Government have had to properly weigh the justice or injustice underlying the demands. Some reduction has been found necessary. That principle has been accepted and reduction has been recommended in the case of persons who pay within certain periods after the passing of the Act. In the case of those who pay within one year, nearly one-third of the debt will stand reduced. In the case of those who pay within three years that debt will stand reduced by one-fifth. Then there may be persons who do not want any reduction but who want to pay what they have contracted to pay. These persons may want time since they cannot be sure when the yield from their property will enable them to repay. Clause 10 makes ample provision for such persons. These are the three different methods which the Government have adopted in regard to reduction and repayment of debts.

The only principle on which Government differed from the Debt Relief Committee is this When should the reduction be made? Shall we begin the reduction and let alone repayment or shall we enforce repayment and effect reduction? Here are three privileges which are now conferred on debtors, privileges which they have not been in enjoyment ever since contract became a part of our law. According to these provisions the debtor is not to wait on the creditor. He has merely to say "I choose to pay only in accordance with either Secton 8, 9, or 10" and the creditor will then have to forego all the rights and privileges which he has been enjoying till then. Till now power has been conferred on the courts to grant time for repayment in instalments, up to 12 years but it is said that courts seldom exercise their discretion in favour of the debtors, and

that the debtor has to establish various circumstances in his favour before the courts can be moved to the exercise of such discretion. But under the provisions of the Bill no circumstances need be established. The debtor has only to say that he chooses the privilege conferred on him by either Section 8, 9 or 10 and he will get the respective benefits. The debtor must make an honest endeavour to discharge an obligation and if he pays a definite portion, then the present Bill provides that he will be absolved from payment of balance.

A word more and I am done. We have not proposed to touch debts incurred after 1112. They are debts incurred on the faith of certain statutory provisions contained in the Agriculturists Relief Act. It does not appear to me that every three years we should unsettle our law, defeat expectations, destory hopes and unsettle monetary transactions. It will be a dangerous precedent if we are to adopt such a course. I do not want it to be said hereafter that this Bill after enactment would not be repealed by another Act thereby depriving the debtors of all the benefits which they had hoped to secure by payment. It is by our Act and by our attitudes that we must create confidence in the public mind that we will not lightly interfere with vested rights. In this particular respect Government have weighed the problems, the advantages and disadvantages arising out of these matters and it is proposed to confer certain special privileges on debtors, privileges, which are not being enjoyed by debtors elsewhere, privileges which no debtor in Travancore enjoyed till this date, and to offer opportunities for the purpose of liquidating his debt. Government are not in a position to agree to the principle of reducing the debt and leaving the parties in better position than they are at present. That will not be taking care of the interests of the creditor and the debtor in the State. In the newspapers various comments were being offered as to how the Bill should be improved or altered. The main principles have been explained. Any vast changes in any of these principles would certainly interfere with the structure and the scheme of the Bill now proposed; and, personally, Sir, I may not find it possible to agree to any of the views which, if adopted, would necessitate a vast change in the principles underlying the Bill. I should not be misunderstood as implying any disrespect to the House. Far from that. This is a matter which has been pending for the last one year and it is in the interests of all the classes concerned that the matter should be expeditiously disposed of. Either the debtor should have what he can get or the creditor should be left free to pursue his remedies. Any way, one thing is certain. We should either say that there is no relief to the debtors or that there is some relief to them. If the honourable members say that they do not want relief of this sort but some other more radical relief and Government do not find their way to adopt it, the debtors may go without a remedy and that will not certainly be advantageous to them. But there will be one thing definite about it. The creditors can pursue their own remedies and the debtors can have recourse to their rights. At present there are debtors who are ready and willing to pay but who do not pay because they expect some legislation affording them relief. The delay in the enactment has brought to a standstill all monetary

[Mr. Puthupally S. Krishna Pillai]

transactions. But we want to completely wipe out that kind of feeling and the sooner we do that, the better will it be for the State. There must be some definiteness and finality in this matter. If it is beyond what Government can support, it is a case where the debtor goes without any relief. Otherwise, Government will be most willing to stretch a point in favour of either the creditor or the debtor. As I said, there must be some finality about this matter and that finality must be reached in the course of the deliberations during the next two or three days.

Sir, this is a Bill which deals with a matter on which there cannot be any unanimity of opinion If debts before a particular period are excluded, there are some chronic debtors who will complain that they do not get any benefit. If debts before a particular period are included, then the creditors will complain that all will be ruined. I have tried to be impartial and just to both parties. I leave the decision to the House. With these few words, Sir, I move that the Bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second the motion.

SECRETARY: The title of the Bill shall be "The Travancore Debt Relief Bill."

PRESIDENT: I have received already five amendments. Apparently honourable members have sent in these amendments so that their views may be before this House. The question that the House will have to consider tomorrow would be what line the House will like to adopt. If a Select Committee is to be appointed and it is to take the usual three months, it will mean a long time. Would the honourable members be in favour of having a Select Committee which will report in a week or a few days or would they take the usual period of two or three months? All these matters will have to be decided by the honourable members because they will be directly before the House tomorrow. Any suggestion I shall gladly consider.

MR. KAINIKKARA M. PADMANABHA PILLAI: Some honourable members will have to speak on the general principles of the Bill. After that is over, it will be time to decide whether the Bill should be sent to the Select Committee or proceeded with direcily.

PRESIDENT: We cannot proceed directly. Is it suggested that the whole House should go into Committee?

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes, Sir.

MR. PULIMOOR T. P. VELAYUDHAN PILLAI: The House may be given an opportunity to discuss the principles and the provisions contained in the Bill.

PRESIDENT: Then the House will resume discussion tomorrow morning.

The House adjourned at 5-2 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.
(OFFICIAL REPORT.)

SECOND ASSEMBLY.

SIXTH SESSION.

Tuesday the 18th June 1940/5th Mithunam 1115.

The Assembly met again in the Legislative Chamber at eleven of the clock with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., the Dewan-President presiding.

NEW MEMBERS.

The following Members took the oath and signed the rolls:

1. Mr. C. V. Chandrasekharan (*Pro-Vice-Chancellor of the Travancore University.*)
2. ,, A. Gopala Menon (*Director of Public Instruction*).
3. ,, K. R. Narayana Aiyar (*Director of Industries*).
4. ,, V. R. Sankaranarayana Pillai (*Secretary to Government*).

QUESTIONS AND ANSWERS.

Appointments of Sastries and Upadhyayas.

288. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): (*a*) Will the Government be pleased to name the posts in the several departments to which those who have passed the Sastry and Upadhyaya Examinations are considered fit to be appointed; and

(*b*) will the Government be pleased to lay on the table a statement showing the number of persons who applied for recruitment as Sanskrit Munshies as per the Notification published by the Public Service Commissioner in Karkatagom 1112, the number appointed from among them and the communities to which they belong?

MR. A. GOPALA MENON (*Director of Public Instruction*): (*a*) For Pandits' posts in Malayalam Schools.

(*b*) The *statement is laid on the table.

Seniority list of teachers in the Education Department.

289. ***MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to state:

(*a*) whether the Education Department has prepared a seniority list of teachers with the Vidwan Examination qualification;

(*b*) whether the following have been considered in the preparation of the list:

(i) whether the examination has been passed with distinction;

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* *Vide* Appendix I.—Page 617.

(ii) whether the person has any other qualification (*e. g.* Higher Training);

(iii) whether professional qualification (Higher Training) would entitle holders to preference over those with only general qualification;

(c) whether the Higher Training Examination has been recognised as equivalent to E. S. L. C. in the matter of appointments &c.; and

(*d*) whether persons with only E. S. L. C. or Vidwan Examinations have been appointed on Rs. 20-25 and Rs. 30-50 in preference to holders of Vidwan qualification with distinction, Higher Training and efficiency certificates?

MR. A. GOPALA MENON: (*a*) No.

(*b*) (i), (ii), (iii), No.

(*c*) No.

(*d*) No.

Statement, by caste, of the clerks in the Education Department.

290. ***MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the clerks now in service in the Education Department?

MR. A. GOPALA MENON: A *statement is laid on the table.

Statement, by caste, of the graduate teachers.

291. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the graduate teachers now in service, who were appointed as per the recommendation of the Public Service Commissioner during the last two years ending with the 1st Dhanu 1115?

MR. A. GOPALA MENON: There is no one in service who was so appointed.

Statement, by caste, of the appointments in the Education Department.

292. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the persons holding appointments in the Education Department carrying a pay of above Rs. 100?

MR. A. GOPALA MENON: A †statement is placed on the table.

Statement, by caste, of appointments in the Education Department.

293. ***MR. K. KUNJU PANICKAR** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to furnish a caste-war list of those who were recruited as per Public Service Recruitment Rules up to the 1st August 1939 in Lower and Intermediate divisions in the Education Department in the various Government Primary Malayalam Schools, in the various Malayalam Middle Schools, and in the various Malayalam High Schools in the State?

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* *Vide* Appendix II—Page 618.

† *Vide* Appendix III—Page 618.

MR. A. GOPALA MENON: Government consider that the time and the labour involved in collecting the information are out of proportion to its possible utility.

Iron Bridge, Quilon.

294. * **MR. S. NARAYANA PILLAI:** Will the Government be pleased to state:

(*a*) whether the Iron Bridge, Quilon, has become unfit for heavy traffic;

(*b*) for how long it has been in that state; and

(*c*) whether any proposal is before them of putting up a new one at that place and if so, of what material?

MR. M. S. DURASWAMI AIYANGAR (*Chief Engineer*): (*a*) The bridge has been declared unfit for heavy traffic.

(*b*) From 1-12-1113.

(*c*) An estimate is under scrutiny for the complete renewal of the platform and abutments making use of the existing C. I. piles and R. S. girders. As per the present proposal, the platform will be of ascu treated wood and will have an increased roadway of 18. The abutments are proposed to be built of rubble masonry.

MR. P. KUNJUKRISHNAN (*Quilon cum Kottarakara*): May I know when the estimate will be taken up for execution?

MR. M. S. DURASWAMI AIYANGAR Certain proposals have just been received and are under scrutiny. As soon as the estimate is sanctioned work will be taken up.

Iron Bridge at Quilon.

295. * **MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state:

(*a*) whether the Iron Bridge at Quilon is open to heavy traffic at present; and

(*b*) if not, why not?

MR. M. S. DORASWAMI AIYANGAR: (*a*) No.

(*b*) On account of the unsafe condition of the bridge.

Kottarakara-Ezhukone road.

296. * **MR. P. KUNJUKRISHNAN:** Will the Government be pleased to state:

(*a*) whether their attention has been drawn to the necessity of repairing the Kottarakara-Ezhukone road so as to make it cartable;

(*b*) whether the condition of the said road causes great hardship to the people of Kottarakara; and

(*c*) what steps have been taken so far?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) and (*c*) Only a portion of the road is cart road, *i. e.*, except the last one mile. The interested people have been required to surrender the necessary lands free. Some special improvements to the extent of Rs. 120 are proposed to be carried out from the current year's maintenance grant.

A bridge over the Chathannoor stream.

297. *MR. P. KUNJUKRISHNAN: Will the Government be pleased to state:

(a) whether they have received any representations from the public of Chathannoor praying for the construction of a bridge over the Chathannoor stream between the Government Girls' Middle School and the temple at Chathannoor; and

(b) if so, what steps have been taken on the matter?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) The necessary investigation has been carried out and the question of this bridge is being considered along with the scheme of construc ion of rural bridges in the State.

Granting of special Casual leave to Government servants.

298. * MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(a) whether any special casual leave is being granted to those Government servants who go in for worship in Sabarimala temple;

(b) if so, the maximum number of days that could be granted as such; and

(c) if not, the reason for not granting?

MR. G. NARAYANAN TAMPI (*Secretary to Government*):

(a) No.

(b) Does not arise in the light of the above.

(c) There is no provision for such leave in the Travancore Service Regulation.

MR. P. NARAYANA PILLAI: May I know whether arrangements will be made for granting the special casual leave to Government servants who go in for worship in the Sabarimala temple?

MR. G. NARAYANAN TAMPI: That is a matter of future policy, Sir.

Amalgamation of the Account Office and the Financial Section.

299. *MR. K. R. NARAYANAN (*Vaikom* cum *Kottayam*): Will the Government be pleased to state whether the Account Office and the Financial Section are amalgamated and, if so, the present position of clerks in the Financial Section?

MR. S. SUNDARARAJAN (*Financial Secretary to Government*): The answer to the first part of the question is in the negative and the Second part does not therefore arise.

Pay of Clerks in the Financial Section.

300. *MR. K. R. NARAYANAN: Will the Government be pleased to state:

(a) whether the clerks in the Financial Section get higher pay than their seniors in the Account Office;

(b) whether they are allowed that pay even now after amalgamation;

(c) if so, whether they are aware that clerks belonging to the same community experience this difficulty (i. e, junior man of one community gets a higher pay than his senior belonging to the same community); and

(d) whether they are also aware that there is additional expenditure on account of this?

MR. S. SUNDARARAJAN: (a) The scales of pay are the same in both the offices.

(b), (c) and (d) There has been no amalgamation and the questions do not arise.

Clerks in the Account Office and the Financial Section.

301. ***MR. K. R. NARAYANAN**; Will the Government be pleased to state whether they have considered the desirability of putting the clerks in the Account Office and the Financial Section in the same level giving their old rank and interchanging clerks of both the offices?

MR. S. SUNDARARAJAN: No.

Deputation of the S. I. U. C. Representatives.

302. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state:

(a) whether Messrs. T. A. Thomas B. A., J. M. Joseph, Nesamony B. A., B. L., Paul Nesamony M. A., B. D., and other leaders of S. I. U. C. met the Dewan in deputation at Bhaktivilas in Meenom 1115;

(b) whether they submitted any memorial to the Dewan; and

(c) if the answer to (b) is in the affirmative, whether they will be pleased to lay on the table a copy of the memorial submitted by them?

MR. G. NARAYANAN TAMPI: (a) Yes.

(b) Yes.

(c) A *copy of the memorial is laid on the table.

MR. K. NARAYANAPERUMAL NADAR: In regard to part (c) of the answer, may I know whether any action was taken on the memorials?

MR. G. NARAYANAN TAMPI: Certainly, Sir. The matter is under consideration.

September Examinations by the Travancore University.

303. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(a) whether there are September Examinations for the F. L. and B. L. candidates, conducted by the Travancore University; and

(b) if the answer to part (a) is in the nagative, the reasons for the same?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor*):

(a) No.

(b) As it is not considered desirable.

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* *Vide* Appendix IV.—Page 619.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason for not conducting September examinations for the F. L. candidates?

MR. C. V. CHANDRASEKHARAN; There does not appear to be any urgent need for a rapid increase of lawyers in the country.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the total number of candidates who have failed in the last two F. L. Examinations?

MR. C. V. CHANDRASEKHARAN: In the last F. L. examination about 50 candidates have failed; for the previous examination I cannot mention the figure offhand. I claim notice.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the number of candidates which the authorities think necessary for holding September Examinations?

MR. C. V. CHANDRASEKHARAN: I have not said anything about the number of candidates in my answer.

MR. P. SIVARAMA PILLAI (*Meenachil cum Todupuzha*): May I know, is there any University in India which do not conduct the September Examinations for the F. L.?

PRESIDENT: Lamentably yes.

MR. M. SIVATHANU PILLAI. In the light of the answer given by the Pro-Vice-Chancellor I would like to know from Government whether is it because there are a good number of advocates and vakils in the country, there may not arise a time when there will be no necessity *at all* to hold any law examinations?

MR. C. V. CHANDRASEKHARAN: That is a hypothetical question.

Statement, by caste, of appointments made in the University.

304. ***MR. D. FRANCIS** (*Kalkulam cum Vilavankod*): Will the Government be pleased to lay on the table the total number of appointments given to Latin Christians, Brahmins and Vellalas in the University including peons, attenders, teachers and clerks both permanent and acting from the beginning till now 15-5-1115 with their names and pay?

MR. C. V. CHANDRASEKHARAN: The statement asked for is laid on the table.

Varnavas employed in the Travancore University.

305. ***MR. KAVIYOOR K. K. KOCHUKUNJU:** Will the Government be pleased to state the number of persons appointed from the Varnava Community as clerks, attenders or peons in the University of Travancore?

MR. C. V. CHANDRASEKHARAN: Nil.

MR. KAVIYOOR K. K. KOCHUKUNJU: തക്ക യോഗ്യതയുള്ള അപേക്ഷകന്മാർ ആരും ഇല്ലാത്തതുകൊണ്ടാണോ വർണ്ണവസമുദായത്തിൽ നിന്നും ആരെയും യൂണിവേഴ്സിറ്റി ആഫീസിൽ നിയമിക്കാതിരുന്നിട്ടുള്ളത്?

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*Vide Appendix V—Page 623.

MR. C. V. CHANDRASEKHARAN : To a very large extent, yes.

Cold Storage Plant.

306. ***MR. S. NARAYANA PILLAI** : Will the Government be pleased to state whether the Cold Storage Plant in the Fisheries Department has resumed work?

MR. C. V CHANDRASEKHARAN : No.

Resolutions regarding the Public Services in the State.

307. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad cum Parur*): Will the Government be pleased to state the steps they have taken to give effect to the resolutions regarding the public services in the State, passed by the Legislature during the last session?

MR. G. NARAYANAN TAMPI : The resolutions are under consideration.

Special Holiday for Ezhavas.

308. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to state whether the Ezhava students who did not attend His Highness the Maharaja's College for Women, Trivandrum, on 5th Kanni 1115 (*i. e.*, the Samadhi day of His Holiness Sri Narayana Guru Swami) were marked absent?

MR. C. V. CHANDRASEKHARAN : Yes; the absence was treated as absence with leave.

Inspector of Police at Puthenchanthai.

309. ***MR K. NARAYANAPERUMAL NADAR** : Will the Government be pleased to state whether Mr. Padmanabhan Tampi, the Inspector of Puthenchanthai, was at any time in 1940 suspended until further orders?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY (*Inspector-General of Police*): Yes.

MR. K NARAYANAPERUMAL NADAR : May I know why the Inspector was suspended?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : The Police Inspector was suspended for certain irregularities committed by him in the course of his duties.

MR. K. NARAYANAPERUMAL NADAR : May I know whether his suspension was due to an offence committed by him while he was Inspector at Puthenchanthai or Edalakudy or Pandalam?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : The irregularities were committed while he was the Inspector at Edalakudy.

MR K. NARAYANAPERUMAL NADAR : May I know the nature of the offence committed by the Inspector?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : I have just answered that he was suspended for certain irregularities committed by him in the course of his duties.

MR. K. NARAYANAPERUMAL NADAR: I want to know the nature of the irregularity committed by him. The Inspector-General says that he was punished for some irregularity. And, that is a very vague answer.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: I will repeat the answer given by me to another honourable member 24 hours before in connection with a similar question. The matter is *sub judice* departmentally and, I am afraid, I cannot divulge the nature of the irregularities committed by him in the discharge of his departmental duties to the honourable member.

PRESIDENT: I find that the honourable member's curiosity has been aroused by certain departmental punishments. But these questions are not going to do any good to the persons whose names are referred to. Obviously the idea would be that a particular person goes and bothers the members to do this and that. But let it be remembered that each man has a right of appeal, and the appeal is considered by Government. In certain departmental punishments meted out by heads of departments it was found from the nature of the evidence collected in respect of the offence that it would give the impression that the man concerned was trying to get behind that order. After all, it may not do him good. In one or two cases that have come to my notice, on an examination of the papers I had to take stronger action in respect of those persons. To my mind obviously the whole matter is being engineered by certain individuals. That is the position.

MR. M. SIVATHANU PILLAI: Is it permissible to put questions on behalf of certain irregularities committed by the officers themselves?

PRESIDENT: General questions of this nature are not within the purview of this particular question.

"Other Hindu" employees in the Anchal Department.

310. ***MR. KAVIYOOR K. K. KOCHUKUNJU**: Will the Government be pleased to lay on the table a statement, by caste, of the clerks, Anchal-men and runners now in service in the Anchal Department, coming under the class of "Other Hindus?"

MR. V. R. SANKARANARAYANA PILLAI (*Secretary to Government*): Records are not maintained showing the sub-divisions to which members of the public service coming under the classification "Other Hindus" belong.

Statement, by caste, of the persons in the Anchal Department.

311. ***MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the persons in the Anchal Department holding appointments carrying a pay of above Rs. 50?

MR. V. R. SANKARANARAYANA PILLAI: The *statement is laid on the table.

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* *Vide* Appendix VI page 625.

Increments to the subordinate officers of the Anchal Department.

312. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) whether there is any fixed scale in granting increment of pay to subordinate officers of the Anchal Department; and

(*b*) if not, the reason for the absence of any such provision in this department?

MR. V. R. SANKARANARAYANA PILLAI: (*a*) There is no fixed scale of pay sanctioned for the subordinates of the Anchal Department (excepting Anchal Inspectors).

(*b*) There is no special reason.

Nedumattom M. P. School.

313. ***MR. P. V. MATHAI CHEMPARATHI** (*Minachil cum Todupuzha*): Will the Government be pleased to state:

(*a*) whether any representation has been received from the public of Nedumattom about the present condition of the Nedumattom M. P. School in Todupuzha taluk; and

(*b*) if so, what is the action taken by the Government?

MR. A. GOPALA MENON (*Director of Public Instruction*): (*a*) Yes.

(*b*) The question of reconstruction of the school building is being considered, but in the meanwhile an estimate for urgent repairs to the building has been sanctioned for Rs. 225 and the work arranged to be taken up for immediate execution.

Raising the English Middle School for Girls, Chengannur into a High School.

314. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: Will the Government be pleased to state:

(*a*) whether they have passed orders to include in any year's budget the provision for raising the standard of the English Middle School for Girls, Chengannur, into a High School;

(*b*) whether, in answer to the repeated representations made by the public regarding the above matter, they or the Director of Public Instruction have stated in writing that the above question would be considered at the time of the preparation of the Budget of 1110;

(*c*) the number of girl students in Forms IV, V and VI of the English High School for boys, Chengannur, for the last seven years respectively with the number of divisions and strength in each year; and

(*d*) the steps taken by the Government or the Department for raising the standard of the English Middle School for girls, Chengannur, into a High School?

MR. A. GOPALA MENON: (*a*) No.

(*b*) Yes.

(*c*) A * statement containing the information is laid on the table.

(*d*) No steps can be taken until the necessary funds and a suitable site become available.

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*Vide Appendix VII. page 627.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether it was the Government or the Director of Public Instruction who stated in writing that the raising of the English Middle School for Girls in Chengannur into a High School would be considered at the time of the preparation of the Budget of 1110?

MR. A. GOPALA MENON: Government issued the G. O. on the subject.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether that question was considered at the time of the preparation of the Budget for the year 1110?

MR. A. GOPALA MENON: The answer given states that there was no convenience at the time for considering the question. Moreover, no funds were available for the purpose.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether the Department has made any investigation for raising the school into a High School standard by selecting a suitable type of building for the school?

MR. A. GOPALA MENON: I may inform the honourable member that I am doing nothing else than trying to find out sites for schools in Chengannur.

English Schools in which Sanskrit is taught as a Second Language.

315. ***MR. M. R. NARAYANA PILLAI** (*Tiruvalla*): Will the Government be pleased to state the names of the English Schools in which Sanskrit is taught as Second Language?

MR. A. GOPALA MENON; A *statement is laid on the table.

Fee concessions to Varnava students.

316 ***MR. KAVIYOOR K. K. KOCHUKUNJU**: Will the Government be pleased to state:

(*a*) the amount spent towards fee concession to Varnava students in 1114; and

(*b*) the number of students among them who enjoyed full fee concessions and half-fee concessions respectively?

MR. A. GOPALA MENON: (*a*) S. Rs. 1,095-11-9.

(*b*) 28 full fee concessions, and 100 half fee concessions.

Neriamangalam-Pallivasal road.

317. ***MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to lay on the table a statement containing particulars on the following points regarding the condition of the Neriamangalam-Pallivasal road:

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* *Vide* Appendix VIII, page 629.

(*a*) out of the small bridges and culverts, excepting the Neriamangalam bridge, originally constructed in the Neriamangalam—Pallivasal road, the number of those with cement concrete platforms and the number with wooden platforms ;

(*b*) the cost at that time per cubic foot of cement concrete platform ;

(*c*) the kind of wood used then for wooden platforms and the cost of it, per cubic foot, at that time ;

(*d*) the number of small bridges and culverts with wooden platforms which have been dismantled and their platforms reconstructed with cement concrete, the number for which cement platforms are being substituted for wooden ones, and the number for concreting which preliminary steps (such as providing other temporary pathways for conveyances) have been taken ;

(*e*) whether such small bridges and culverts, the reconstruction of which has been completed or is being completed or is in the preliminary stage, are on the eastern side or on the western side of the above road ; and

(*f*) the cost now per cubic foot of cement concrete platform in the case of the above bridges and culverts which have been dismantled?

MR. M. S. DORASWAMI AIYANGAR : (*a*) 23 and 69, respectively.

(*b*) Rs. 4-16-4 to Rs. 6 according to the distance from Munnar.

(*c*) Thambagam and Irul costing Rs. 4-2-0 and Rs. 3-14-0 per cubic foot respectively.

(*d*) Only 6′ span bridges without wooden platforms are being dismantled and built in rubble in cement with R C. C. platforms. The total number of such bridges is 24. Number already dismantled and rebuilt is 12. Cement concrete platforms are being substituted for spans above 6′ and the total No. is 35. Of these 11 are completed Deviation roads and temporary bridges are made for the bridges which are now under construction. There are about 6 such bridges.

(*e*) These bridges are all on the western half of the Pallivasal—Neriamangalam road except one at Pallivasal.

(*f*) Between Rs. 2 and Rs. 2½ per cubic foot.

Vazhicherry-Kommadi road.

318. ***MR. N. NARAYANA KURUP** (*Ambalapuzha* cum *Shertala*) : Will the Government be pleased to state :

(*a*) whether they have received any representation for the early completion of the Vazhicherry-Kommadi road in Ambalapuzha taluk ; and

(*b*) if so, when it was received and what action has been taken on the same ?

MR. M. S. DORASWAMI AIYANGAR : (*a*) Yes.

(*b*) On 10-10-1939. The matter is under investigation by the P. W. D.

Representation for making raised grounds in Kuttanad.

319. *MR. N NARAYANA KURUP: Will the Government be pleased to state:

(*a*) whether they have received any representation suggesting to make raised grounds in every pakuthi in Kuttanad for the temporary accommodation of cattle and poor people during flood; and

(*b*) if so, what action has been taken on it?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) Estimates have been prepared, but are held up pending detailed investigations regarding the hydraulic problem in Kuttanad area and the provision of the spillway at Thottapally.

Repairing the Pattinithodu Canal.

320. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state:

(*a*) whether they have received any application for repairing the Pattinithodu (പട്ടിണിത്തോട്) in Parur taluk; and

(*b*) if so, the reasons for not doing the work?

MR. M. S. DORASWAMI AIYANGAR: (*a*) There were two interpellations in regard to this matter.

(*b*) The canal was once deepened and made navigable at a cost of over Rs. 8,000. But it is now unfit for navigation due to its silting up. The possibilities for preventing the silting of the Thodu are being investigated.

Construction of the Vettikempankari canal.

321. *MR. P. NARAYANA PILLAI: Will the Government be pleased to state:

(*a*) whether the construction of the Vettikempankari canal in Parayankara Punja in Thriperumthura pakuthi, Mavelikara taluk, is completed;

(*b*) if not, what is the delay due to; and

(*c*) whether any land blocking this canal still remains unacquired by Government?

MR. M. S. DORASWAMI AIYANGAR: (*a*) No.

(*b*) The unwillingness of the people to pay cess or half contribution for the improvement works.

(*c*) Yes. The south end of the canal is blocked up and is a cocoanut garden.

Improvement of the Puthen Aru Canal.

322. *MR. P. NARAYANA PILLAI: Will the Government be pleased to state:

(*a*) whether they have received any representations from the people of Chennithala for the improvement of the Puthen Aru Canal in Chennithala Punja in Mavelikara taluk; and

(*b*) if so, what action was taken on them?

MR. M. S. DORASWAMI AIYANGAR: (*a*) No.

(*b*) In view of the answer to part (*a*) this does not arise.

MR. M. S. DORASWAMI AIYANGAR: Sir, I beg to correct the answer given to this question. There is a slight mistake which has occurred in the answer. The correct answer ought to be this.

(*a*) Yes.

(*b*) An estimate for Rs. 3850 has been received and is under scrutiny in the Chief Engineer's Office.

Agricultural Colony in Central Travancore.

323. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: With reference to R. O. C. No. 1135/38/Devpt., dated 22nd July 1938, will the Government be pleased to state:

(*a*) whether they have received the representation dated 6-2-1938 from the Secretary of the All-Travancore Agricultural Student's Association praying for the establishment of another agricultural colony in Central Travancore, or for the appointment of those, who have agricultural training, as teachers in Malayalam Schools;

(*b*) the steps taken for bringing the above Government order into effect;

(*c*) the number of such men appointed as teachers, in pursuance of the above order; and

(*d*) the number of persons having the agricultural training, who are qualified to be appointed as teachers in the Malayalam Schools?

MR. K. R. NARAYANA AIYAR: (*a*) Yes.

(*b*) The question of establishing another agricultural colony is under consideration. The claims of those having agricultural training are being considered, in filling up vacancies among teachers.

(*c*) Five.

(*d*) Thirty-nine according to details so far available.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: With reference to part (*c*) of the answer, may I know the year in which the last appointment was made?

MR. K. R. NARAYANA AIYAR: It is not possible to give the year immediately as the appointment was made by the Director of Public Instruction.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know why it is difficult to find out the year when the last appointment was made?

MR. K. R. NARAYANA AIYAR: I did not say that it was difficult to give the year. What I said was, the appointment was made by the Director of Public Instruction and so he alone can answer the member.

Marketing of eggs.

324. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether the fourth meeting of the Board of Agriculture made recommendations to the Government regarding the marketing of eggs; and

(*b*) if the answer to part (*a*) is in the affirmative, what those recommendations are?

MR. K. R. NARAYANA AIYAR: (*a*) and (*b*) The fourth meeting of the Board of Agriculture has passed the following resolution on the subject:—

"Resolved that the Government be requested to sanction the levy of a cess not exceeding eight annas per thousand or six annas per Railway maund of eggs (hen's or duck's) exported from the country and that the revenue derived therefrom be transferred to a fund called the Egg Marketing Improvement Fund to be administered by a Board appointed for the purpose."

MR. K. NARAYANAPERUMAL NADAR: May I know whether a copy of the resolution passed at the fourth meeting of the Board of Agriculture was forwarded to Government by the President of the Board of Agriculture?

MR. K. R. NARAYANA AIYAR: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know why it was not forwarded to Government?

MR. K. R. NARAYANA AIYAR: The resolution is still under consideration by the President of the Board of Agriculture.

Agricultural Schools.

325. ***MR. S. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) the names and numbers of the agricultural schools run by the Government;

(*b*) whether petitions have been received from past students with Malayalam Higher or S. S. L. C. qualification praying that they may be appointed in the Education Department; and

(*c*) whether Government have taken any action on such petitions?

MR. K. R. NARAYANA AIYAR: (*a*) Two Agricultural Schools, one at Kottarakara and the other at Koni, are run by Government.

(*b*) Yes.

(*c*) Yes.

MR. S. NARAYANA PILLAI: With reference to answer to part (*b*), may I know how many petitions have been received for appointment in the Education Department?

MR. K. R. NARAYANA AIYAR: I claim notice, Sir.

Diseases of cocoanut trees.

326. ***MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) the extent of the area wherein cocoanut trees are affected by disease;

(*b*) whether any survey has been conducted for the purpose; and

(*c*) if not, the reasons for not doing so?

MR. K. R. NARAYANA AIYAR: (*a*) Cocoanut trees are subject to various diseases, and the extent of the area affected by different diseases

is not definitely known. If the question refers to the leaf and root diseases of cocoanut palms, it may be stated that the area affected stretches from Alleppey and Thodupuzha in the North to Kottarakara and Quilon in the South.

(*b*) No.

(*c*) The cost of a survey will be prohibitive and out of all proportion to the benefit to be derived therefrom.

MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally* cum *Kartikapally*): May I know whether the cost of such survey has been estimated?

MR. K. R. NARAYANA AIYAR: No, Sir.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the nature of the disease as well as its extent has been ascertained and how far the owners of cocoanut trees are affected thereby?

MR. K. R. NARAYANA AIYAR: It is not possible to give definite information, Sir.

MR. KANNANTHODATH JANARDANAN NAIR: Then how is it that it has been answered that the cost of a survey will be prohibitive and out of all proportion to the benefit to be derived therefrom?

MR. K. R. NARAYANA AIYAR: The gravity of the disease has been known and we have a rough idea of the extent to which the disease has spread. There is no necessity to make any systematic survey in the matter.

MR. KANNANTHODATH JANARDANAN NAIR: My question is that as long as the cost of the survey has not been estimated and as long as the actual loss sustained by the owners of trees has not been ascertained, how can the answer *viz.*, the cost of a survey will be prohibitive and out of all proportion to the benefit to be derived therefrom, be justified?

MR. K. R. NARAYANA AIYAR: The object of the survey is to find out the extent to which the disease has spread and for that there is no necessity to make a comprehensive survey which will be very costly.

PRESIDENT: The Government would only be anxious to levy a tax on cocoanut trees which have now escaped taxation. But on account of the enormous cost of the survey, such a thing has not been done. In fact the Government are rather anxious to conduct the survey if the people require it.

MR. G. VELU PILLAI (*Karunagapally* cum *Kartikapally*): May I know whether the tax realised from cocoanut trees is increasing or decreasing from year to year?

MR. K. R. NARAYANA AIYAR: In certain years it is increasing and in certain others, decreasing.

PRESIDENT: Government will be anxious to embark on the survey.

MR. P. NARAYANA PILLAI: May I know whether the disease is increasing?

MR. K. R. NARAYANA AIYAR: In certain areas it is increasing.

MR. G. VELU PILLAI: May I know whether Government is doing anything to prevent the spread of this disease?

MR. K. R. NARAYANA AIYAR: Yes, Sir.

MR. G. VELU PILLAI: May I know in what ways?

MR. K. R. NARAYANA AIYAR: By advising agriculturists to resort to scientific method of cultivation. The diseases are also being investigated in a systematic manner by a competent Plant Pathologist.

MR. P. SIVARAMA PILLAI: May I know whether investigations are being carried on to prevent the spread of the disease?

MR. K. R. NARAYANA AIYAR: Yes, Sir.

MR. P. SIVARAMA PILLAI: Have they been successful?

MR. K. R. NARAYANA AIYAR: The investigations have not been completed; the results so far obtained are encouraging.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): രോഗം പിടിപെട്ടു പട്ടുപോയ തെങ്ങുകളുടെ ആകെ എണ്ണം എത്രയാണെന്നു ഗവണ്മെൻറിലേക്കു റിപ്പോർട്ടു ചെയ്തിട്ടുണ്ടോ ?

MR. K. R. NARAYANA AIYAR: ഇല്ല.

MR. T. C. KESAVA PILLAI: പട്ടുപോയ വൃക്ഷങ്ങളുടെ ആകെ എണ്ണം നോക്കിയാൽ ഒരു വലിയ സംഖ്യ കാണുമോ; അതല്ലാ കുറച്ചേ കാണുകയുള്ളോ ?

MR. K. R. NARAYANA AIYAR: അതിനെപ്പററി തീർച്ച പറയാൻ നിവൃത്തിയില്ല.

MR. T. C. KESAVA PILLAI: അടുത്ത കണ്ണെഴുത്തു സമയത്തു് ഇതു നിമിത്തം റവന്യൂ ഇനത്തിൽ വലിയ കുറവുണ്ടാകുമെന്നുള്ള വിവരം അറിയാമോ ?

MR. K. R. NARAYANA AIYAR: തെങ്ങു വൃക്ഷങ്ങൾക്കുണ്ടാകുന്ന ഈ രോഗം ചില സ്ഥലത്തു ഭേദമായി വരുന്നുണ്ടു്. ചില സ്ഥലത്തു മാത്രമേ പട്ടുപോകുന്നുള്ളൂ ..

Teachers transferred by the Divisional Inspector of Schools, Muvattupuzha.

327. * **MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to lay on the table a statement showing the caste of the teachers transferred by the Divisional Inspector of Schools, Muvattupuzha, during the period from Medom 1113 to the end of Vrischigom 1115, with details regarding the places from which and to which each of them was transferred?

II. Will the Government be pleased to state:

(*a*) whether they were transferred from their native places to other places or from other places to their native places;

(*b*) the names of those who were re-transferred to the places to which they were originally transferred;

(*c*) whether there are any special reasons for the above transfers;

(*d*) whether any of the above teachers were transferred more than once; and

(e) if so, the names of those teachers and the number of transfers each of them was subjected to, and in cases of more than one transfer the reasons for such transfers?

MR. A. GOPALA MENON:

I. The statement is laid on the Secretary's table.

II. (a) Both; as circumstances demanded.

(b) (1) K.E. Varghese (2) P. Thomas (3) T.R. Ananta Kurup (4) N. Subramonia Iyer (5) P. V. Krishna Panicker.

(c) Yes.

(d) Yes.

(e)

No.	Name of teachers	No. of transfers.	Reason
1.	N. K. Lekshmikutty Amma	2	Request
2.	P. N. Parameswaran Kartha	2	Reversion
3.	P. V. Tharian	2	Complaint
4.	T. Thomas	2	Adjustment
5.	P. K Damodaran Pillai	2	Request
6.	P. I. Aiyappan Pillai	2	Complaint
7.	A. J. Bhagirathy Amma	2	Request
8.	L. Janaki Amma	2	Complaint
9.	K. C. Thomas	2	Do.
10.	C. Sankara Pillai	2	Reversion
11.	K. Nilakanta Pillai	2	Do.
12.	P. A. Krishna Pillai	2	Do.
13.	P. R. Madhavan Pillai	2	Do.
14.	C. G. Kesava Pillai	2	Adjustment of staff
15.	T. N. Parameswaran Pillai	2	Complaint
16.	K. Gouri	2	Adjustment and request
17.	D. Krishnan Nambiar	2	Do.
18.	K. Ammini Amma	2	Adjustment

Hindu Teachers in the English Middle Schools, Neyyattinkara and Nemom.

328. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether it has been brought to the notice of the Government that the Hindu teachers (both Nadars and Nairs) of the English Middle Schools, Neyyattinkara and Nemom are recently (in 1115) relieved by the Manager because of their refusal to convert themselves to Christianity;

(b) whether it is a fact that the teachers in 1115 have petitioned to the Director of Public Instruction; and

(c) whether it is a fact that the Director has passed an order requiring the Manager to re-entertain them until further orders?

MR A. GOPALA MENON : (*a*) Yes, in the case of the St. Paul's M. S. C. English Middle School, Nemom.

(*b*) Yes.

(*c*) Orders have been issued that the appointments of substitutes will not be approved until the enquiry is complete and final orders issued.

MR. K. NARAYANAPERUMAL NADAR : May I know the names of the teachers relieved because they refused to become Christians?

MR. A. GOPALA MENON: In the representation from the teachers, no mention of persuasion to become Christians has been mentioned. But in subsequent representations on the matter received from the locality this allegation has been included. The names of the teachers are

1. Mr. K. Sivaraman Nair
2. " V. Joshua
3. " N. Kunjukrishnan

MR. K. NARAYANAPERUMAL NADAR : May I know the names of the teachers now appointed ?

MR. A. GOPALA MENON: The report on the subject has not been received.

MR. K. NARAYANAPERUMAL NADAR : May I know whether there is any G O. that managers should not compel teachers to change their religious faith ?

MR. A. GOPALA MENON : There is no such G. O. Faith is a matter of conviction of individuals.

Corruption of an Assistant Inspector of Schools.

329 ***MR. S. NARAYANA PILLAI** : Will the Government be pleased to state :

(*a*) whether any petition was received charging an Assistant Inspector of Schools with corruption ; and

(*b*) if so, what action has been taken in the matter ?

MR. A. GOPALA MENON : (*a*) Yes

(*b*) The Assistant Inspector concerned has been warned.

MR. S. NARAYANA PILLAI: May I know the charges on this Inspector ?

MR. A. GOPALA MENON: The main charge was delay in the passing of grant bills with a view to get some illicit consideration.

Rural Re-construction.

330. ***MR. P. NARAYANA PILLAI** : Will the Government be pleased to state :

(*a*) the places selected for the rural reconstruction work ; and

(*b*) the amounts allotted for each centre ?

MR. V. R. SANKARANARAYANA PILLAI (*a*) and (*b*) The policy of the Government is to give grants to institutions during rural reconstruction

work on approved lines and on a voluntary basis. The grants are given on the recommendation of Economic Development Board and to the extent of the funds allotted for the purpose.

In 1114, the grants stated below were given to the following Six institutions.

			Rs.
1.	Co-operative Society No. 398 Neyyoor	...	600
2.	Travancore War Service Men's Colony, Palode	...	600
3.	Rural Reconstruction Institute, Oollannore, Pandalam ...	...	600
4.	Sivagiri Harijan Colony, Warkala	...	500
5.	Anjanad Rural Reconstruction Centre, Munnar	...	280
6.	Coastal Development Mission, Punnappara, Alleppey ...	...	120
	Total	...	2,700

For 1115 M. E. a sum of Rs. 7,000 has been earmarked for payment of grants for Rural Reconstruction work outside Village Panchayat areas. The various applications for assistance from this allotment are now engaging the attention of the Economic Development Board.

MR. P. NARAYANA PILLAI: May I know whether rural reconstruction work cannot be entrusted with the Boys Scout Association?

MR. V. R. SANKARANARAYANA PILLAI: No application was received from the Boys Scout Association.

MR. P. NARAYANA PILLAI: May I know whether there is any perposal to entrust this work to the Boys Scout Association?

MR. V. R. SANKARANARAYANA PILLAI: No.

MR. P. NARAYANA PILLAI: May I know whether Government is aware that in the Punjab, Central Provinces, and United Provinces, rural reconstruction work is being done by Boys Scout Association?

MR. V. R. SANKARANARAYANA PILLAI: Yes.

Non-departmental Anchal office at Puliyoor.

331. *MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvalla*): Will the Government be pleased to state:

(*a*) the date on which Government have been pleased to sanction the opening of a non-departmental anchal office at Puliyoor;

(*b*) the date on which the necessary deposits both for the anchal office and by the proposed anchal master were made and the agreement for the purpose executed; and

(*c*) whether the Anchal Superintendent has received any representation with regard to the early opening of this anchal office and steps taken by him in the matter?

MR. V. R. SANKARANARAYANA PILLAI: (*a*) 14th November 1939.

(*b*) Guarantee deposited 26-11-1114.

Anchal Master's security deposited, 8-1-1115.

Agreement executed 18-2-1115.

(c) Yes. This anchal office has been opened with effect from 1-10-1115.

Amendment of the Insurance Act.

332. *MR. P. NARAYANA PILLAI: Will the Government be pleased to state:

(a) whether they have received any representations to get the Insurance Act amended;

(b) whether any steps are taken for the same;

(c) if not, the reason why nothing was done as yet;

(d) whether they have got any idea of the number of the policy-holders in this State who are affected by the Insurance Act;

(e) the number of policy-holders from outside who have taken policies in the Insurance Companies in this State; and

(f) the number of Provident Assurance Companies working in this State that have sought permission to continue business according to the provisions of the present Insurance Act?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*):

(a) Yes.

(b) It is under the consideration of Government.

(c) This does not arise in view of the answer to part (b)

(d) and (e) The labour and time involved do not justify the collection of information.

(f) four.

Appendix I.

Vide Answer to Question No. 288

Candidates for Sanskrit Munshies on Rs. 20—40 for the first half of 1113.

Number qualified.	*Communities.*	*Number appointed.*
32	Brahmin	16
	Nayar	5
	Othe specified Hindu	3
	Kammala	1
	Ezhava	6
	Other Hindu	1

Also one unqualified and one late candidate whose communities are ;—

Other Christian
Nayar

Candidates for Sanskrit Munshies on Rs.20—25 for the first half of 1113.

Number qualified.	*Communities.*	*Number appointed.*
128		
	Brahmin	21
	Nayar	36
	Other specified Hindu	5
	Kammala	7
	Ezhava	30
	Pulaya	2
	Other Hindu	16
	Muslim	2
	Jacobite	4
	Marthomite	1
	Latin Catholic	2
	Other Christian	2

Also 7 candidates who did not comply with the Rules, whose Communities are:—

Brahmin	3
Nayar	1
Kammala	1
Ezhava	2

Appendix II.

Vide **Answer to Question No. 290.**

Statement, by caste, of the clerks in the Education Department.

1.	HINDU—		
	Brahmin	... ...	66
	Nayar	... ...	57
	Other Hindu	... ...	9
	Ezhava	... ...	4
	Kammala	... ...	1
2.	MUSLIM	... ...	1
3.	CHRISTIANS—		
	Jackobite	... ...	6
	Marthomite	... ...	4
	S. I. U. C.	... ...	4
	Syriac Catholic	... ...	1
	Others	... ...	3
	Total	... ...	156

Appendix III.

Vide **Answer to Question No. 292.**

Statement, by caste, of persons holding appointments in the Education Department carrying a pay of above Rs. 100.

1.	*Hindu*—		
	Brahmin	...	52
	Nayar	...	9
	Other Hindu	...	7
2.	*Muslim*	...	1
3.	*Christians*		
	Jacobite	...	5
	Marthomite	...	7
	Syriac Catholic	...	2
	Latin Catholic	...	1
	S. I. U. C.	...	7
	Others	...	10
	Total	...	101

Appendix IV

Vide Answer to Question No. 302.

COPY OF THE MEMORIAL SUBMITTED BY THE S. I. U. C. REPRESENTATIVES TO THE DEWAN.

To

THE DEWAN OF TRAVANCORE,
Trivandrum.

Respected Sir,

We the undersigned on behalf of the South India United Church Christians of Travancore beg to bring the following for the sympathetic and benign consideration of the Government of His Highness the Maharaja of Travancore.

The question of recruitment to the Public Service had long been a subject of persistent agitation in Travancore. It came up again and again in the Legislative Assembly and in the Sri Mulam Popular Assembly. The complaint was that Heads of Departments were systematically overlooking the claims of certain communities. It was with a view to remedying this long standing grievance, without impairing the efficiency of the services, that a Public Service Recruitment Committee was constituted by Government and on the report of that Committee the Government, after a very careful consideration laid down on the 25th June 1935 a scheme of recruitment to the Public Services, to be worked tentatively for 3 years, after which it was to be reviewed by Government in the light of conditions then existing. Detailed rules were issued by Government which were supplemented and modified from time to time.

The scheme has been now working for 3 years and presumably it has not given satisfaction, which may be the reasons for the new scheme that has been brought forward and passed by the Legislature. But the sponsors of the new scheme do not give clear and adequate reasons for condemning the present scheme nor is it clear how far this new scheme is an improvement on the one now in operation.

We do not deny the fact that the present scheme has defects but to our mind the defects lie not so much in the general principles of the scheme but in the Rules and in their working and hence before any radical change is recommended the whole question may have to be very carefully examined.

We beg to offer in the following a few remarks as to the unsuitability of the new proposals and beg to make certain constructive suggestions for the better working of the scheme.

The fundamental changes suggested by the Legislature are the following :—

(1) The Public Service is to consist of only two Divisions instead of three *viz.*, the Higher Division comprising all posts above Rs. 150 per mensem and the Lower division comprising the rest.

(2) Recruitment to the inferior service and to the ministerial and executive branches of the superior service in the lower division is to be made by communal rotation only, the efficiency test being abandoned.

(3) The re-allocation of posts on a revised basis of rotation.

(4) The appointment of an advisory committee to assist the Public Service Commissioner.

The resolutions do not indicate at what stages of the ministerial and executive branches of the superior service, direct recruitment should take place. For example the lowest paid post in the superior service of the Revenue and Judicial Service of the State is the copyist on Rs. 15. Should direct recruitment be confined to these posts and appointment to superior services be made by mere promotion. In regard to executive posts could any direct recruitment be made to the cadre of the Proverthicars? It has to be noted that such direct recruitment was secured through years of agitations on the part of unrepresented communities and if the scheme does not contemplate such direct recruitment it will be a serious and a legitimate grievance to the unrepresented communities.

The principle of rotation on the basis of population may be regarded as unexceptionable to some extent but it is to be noted that the following major Hindu and Christian communities will in the proposed scheme of rotation be benefited at the expense of the smaller communities. For example, the Nairs, numbering 8·68 lakhs get 9 posts; Ezhavas numbering 8·69 lakhs get 9 posts; the Syrian Catholics numbering 4·49 lakhs get 5 posts; Latin Catholics numbering 3·60 get 4 posts; Muslims who number 3·5 get 4 posts. These increases have been given at the expense of other weaker communities. For example the other Hindus who number 4·5 lakhs get only 3 posts; Nadars whose population is 2·34 get only 2 posts; the Jacobites who number 3·38 lakhs get only 3 posts; Marthoma 1.42 lakhs get only 1 post and the S. I U. C. with a population of 1·39 lakhs get only 1 post.

The proposal that all future appointments ought to be made on the strict basis of population completely ignores the fact that at present a few communities are already over represented in the State services, both permanent and acting, out of all proportion to their population, and that to apply the scheme now would be to perpetuate the existing inequalities for a long time to come.

The proposal to appoint an Advisory Committee composed of non-official members to advise the Public Service Commissioner in matters concerning recruitment to the Public Service is not desirable. The Advisory Committee is likely to be nominated by members from the major communities, and as such will not inspire confidence in the minority communities.

The new proposals do not make any mention of the acting hands. If these hands who are predominently from certain major communities are to be entirely absorbed before communal rotation is to take effect then the main object of Government to equalise the opportunity to be afforded to all communities will be defeated.

We beg to offer a few suggestions so that the Government may mete out justice to all communities, while at the same time keeping in view the present already over weighted representation in Government service of certain communities and their monopoly in certain services which are not open to all communities.

(i) We beg to submit that a reallocation of appointments on the basis of one post for a population of 50,000 or any fraction thereof exceeding 25,000, as envisaged in the statement herewith appended, will make the scheme more equitable, without in any way interfering with the legitimate claims of the major communities.

(ii) That communities which owing to historic or other reasons did not get sufficient representation in service and are even at present excluded from some of the major departments in the State be given a greater share in future recruitments even in excess of what they would be entitled to on the basis of population.

(iii) That the minority communities which get only a few seats in the scheme be given their chance sufficiently early in the rotation

(iv) We request that all acting hands be listed and their confirmation be made strictly according to the principle of communal rotation as finally adopted by Government.

(v) The policy of liberal exceptions made in the matter of recruitment may also be given up.

(vi) Before the Government passes any final orders on the subject we pray a committee consisting of officials and non officials may be appointed to study the question of future recruitment to the Public Service in the light of the experience already gained as a result of the working of the present scheme and to report to Government.

(vii) We also beg to submit that the present policy of Government to work the scheme of recruitment with the aid of a Public Service Commissioner of high status and reputation unaided by any Advisory Committee be retained.

Under these circumstances we humbly request Government will be pleased to undertake a review of the existing scheme of recruitment, as already contemplated in their original order, with the aid of a Committee as suggested above and usher in a revised scheme only after such a Committee has reported.

Trivandrum, We beg etc.,
11th April, 1940. 1. (Sd.) A. NESAMONY AND OTHERS.

APPENDIX IV—(*contd.*)

	Population.	Number allotted as per the present Public Service Recruitment Rules.	Number suggested by the Legislature.	Proposal of the memorialists (1 for every 50,000 or any fraction thereof above 25,000).
I. HINDUS.				
1. Brahmin	68,072	1	1	1
2. Nairs	8,68,411	5	9	17
3. Ezhava	8,69,863	9	9	17
4. Kammala	2,08,444	3	2	4
5. Nadar	2,33,982	3	2	5
6. Pulaya	2,08,132	3	2	4
7. Vellala	69,627 }		1	1
8. Kurava	87,071 }		1	2
9. Paraya	70,684 }	7	1	1
10 Other Hindus	4,50,554 }		2 & 1	9
			31	61
II. MUSLIMS.	3,53,274	4	4	7
III. CHRISTIANS.				
1. Syrian Catholics	4,49,173	5	5	9
2. Latin Catholics	3,60,217	4	4	7
3. Jacobites	3,37,827	4	3	7
4. Marthomites	1,42,486	2	1	3
5. S. I. U. C.	1,38 958	2	1	3
6. Anglicans	85,261 }	3	1	2
7. Other Christians	89,767 }		1	2
			16	33

Appendix V.

Vide Answer to Question No. 304.

Statement, by caste, of appointments made in the University.

Name.		*Pay.*
LATIN CHRISTIANS.		Rs.
K. Thomas	...	9
P. Nazereth	...	15
M. Michael	...	9
Miss Rajamma Thomas	...	20
M. Anthony Joseph	...	20
Mathew Peiera	...	45
BRAHMINS.		
Monian	...	9
R. Subramonia Aiyar	...	9
S. Ramaswamy Aiyar	...	15
N. Rama Aiyar	...	15
G. Narayana Aiyar	...	11
V. Sthanukrishna Aiyar	...	11
S. Subramonia Aiyar	...	15
A. Sankararaman	...	20
S. Hariharan	...	100
G. Sankaranarayana Aiyar	...	50
D. L. Deshpande	...	600
C. Balakrishna Rao	...	500
V. N. Limaye	...	180
S. Rajaraman	...	100
G. S. Ramakrishnan	...	80
T. V. Ananthasivan	...	25
P. Vaidyanatha Aiyar	...	15
R. Ponnuswamy Aiyar	...	20
H. Kulathu Aiyar	...	81
S. Krishna Aiyar	...	25
VELLALAS.		
C. Ponnuswami	...	9
R. Kesava Pillai	...	15
C. Balasubramoniam	...	50
K. Kylas	...	100
T. Subramonia Pillai	...	20

APPENDIX V—(*contd.*)

Caste.	Peons.		Attendants.		Teachers.		Clerks.		Total.
	Acting.	Permanent.	Acting.	Permanent.	Acting.	Permanent.	Acting.	Permanent.	
Latin Christians ...	...	1	2	...	...	1	1	1	6
Brahmins ...	1	1	5	1	3	5	2*	2	20
Vellalas ...	1	...	1	...	1	1	1	...	5

*One is a Pilot Balloon Assistant.

Appendix VI.

Vide Answer to Question No. 311.

Statement of persons in the Anchal Department holding appointments carrying a pay of above Rs. 50.

No.	Name.	Pay Rs.	Designation and station.	Caste.	Remarks.
1	M. Mammen Mathai B. A.	125	Anchal Inspector Trivandrum Division	Marthomite	on leave.
	S. Narayana Rao	70+10	do.	Brahmin	Acting.
2	N. Srinivasa Rao	105	Office Inspector Anchal Superintendent's office.	do.	
3	K. Y. Sankara Iyer	100	Anchal Inspector Kottayam Division	do.	Acting in the 1st grade vice Mr. Mammen Mathai on leave.
4	K. Narayana Iyer	100	Anchal Inspector Padmanabhapuram Division	do.	
5	K. Kunjukrishnan Chettiar B. A.	100	Anchal Inspector Alleppey Division	Other Hindu	
6	P. N. Parameswaran Pillai B. A.	100	Anchal Inspector Quilon Division	Nair	
7	P. O. Jacob B. A.	100	Anchal Inspector Mavelikara Division	Marthomite	
8	G. Vasudevan B. A. B. L.	95	Anchal Inspector High Range Division	Ezhava	
9	S. Subramonia Iyer B. A.	95	Anchal Inspector Muvattupuzha Division	Brahmin	

Appendix VI—(*contd.*)

No.	Name.	Pay Rs.	Designation and station.	Caste.	Remarks.
10	S. Narayana Rao B. A.	70	Head clerk, Anchal Superintendent's office	Brahmin	on other duty.
11	K. M. Mathai B. A.	70	Head Accountant, Anchal Superintendent's office	Marthomite	
12	N. P. Chellappan Nair B. A. B. L.	70	Head clerk do. do.	Nair	
13	S. Venkitarama Iyengar	60	Anchal Master, Alleppey	Brahmin	
14	A. M. Thomas	60	Anchal Master, Tiruvella	Jacobite	
15	Iype Parakadavil B. A.	60	Anchal Master Mavelikara	do.	
16	G. Sthanu Nair B. A.	60	Anchal Master Trivandrum	Nair	
17	K. Ramakrishna Pillai	60	Anchal Master Thycaud	do.	

Appendix VII.

Vide Answer to Question No. 314.

Statement furnishing details re: the number of girls in the High School Forms etc. in the English High School for boys, Chengannur, during the years 1933-34 to 1939-40.

Class		1933—34			1934—35			1935—36			1936 37		
		Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
F VI A	...	38	...	38	38	...	38	39	...	39	40	...	40
B	...	31	...	31	43	...	43	36	...	36	40	...	40
C	..	...	24	24	...	28	28	...	28	28	...	23	23
D	...	...	...	...	42	...	42	37	...	37	35	...	35
Total	...	69	24	93	123	28	151	112	28	140	115	23	138
F V A	...	38	...	38	35	...	35	39	...	39	44	...	44
B	...	40	...	40	38	...	38	40	...	40	45	...	45
C	...	...	29	29	...	28	28	...	69	69	...	34	34
D	...	38	...	38	34	...	34		...	...	32	...	32
Total	...	116	29	145	107	28	135	79	69	148	121	34	155
F IV A	...	28	...	28	29	...	29	40	...	40	35	...	35
B	...	32	...	32	33	...	33	40	...	40	39	...	39
C	..	...	46	46	...	41	41	...	30	30	...	23	28
D	...	33	...	33	35	...	35	37	...	37	36	...	36
E	...	29	...	29	...	..	...	...	30	30	...	25	25
Total	...	122	46	168	97	41	138	117	60	177	110	48	158

Appendix VII—(*contd.*)

Class	1937—38			1938—39			1939—40		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
F VI A ...	39	...	39	30	...	30	38	...	38
B .	36	...	36	26	...	26	36	...	36
C ...	...	27	27	...	30	30	...	29	29
D ...	...	...	...	27	...	27	...	...	...
Total ...	75	27	102	83	30	113	74	29	103
F V A ...	33	...	33	40	...	40	46	...	46
B ...	35	...	35	36	...	36	47	...	47
C ...	...	37	37	...	39	39	...	34	34
D ...	...	...	...	...	...	...	...	...	...
Total ...	68	37	105	76	39	115	93	34	127
F IV A ...	29	9	38	33	...	33	42	...	42
B ...	40	...	40	34	...	34	33	...	33
C ...	...	39	39	...	43	43	...	47	47
D ...	34	...	34	28	...	28	30	...	30
E ...	...	...	...	...	...	...	...	...	...
Total ...	103	48	151	95	43	138	105	47	152

Appendix VIII.

Vide Answer to Question No. 315.

Statement showing the names of the English Schools in which Sanskrit is taught as a Second Language.

Departmental English Schools.

1. S. L. B. English High School, Nagercoil
2. English High School, Thuckalai
3. Do. Chalai
4. S. M. V. Do. Trivandrum
5. Model School, Trivandrum.
6. English High School, Attingal
7. Do. Kottarakara
8. Do. Shencottah
9. Special School for Malayala Brahmins, Kulakada
10. English High School, Chavara
11. Do. Mavelikara
12. Do. Kayamkulam
13. Special English Middle School, Mavelikara
14. English High School, Adoor
15. Do. Chengannur
16. Do. Shertalai
17. Do. Vaikom
18. Do. Muvattupuzha
19. Do. Parur
20. Do. for girls, Trivandrum
21. English High School, Quilon.

Private Schools.

1. S. C. English High School, Nagercoil
2. S. M. S. M. Do. Suchindram
3. St. Joseph's Do. Trivandrum
4. Fort Do. Trivandrum
5. English High School, Kottappuram
6. S. D. V. Do. Alleppey
7. St. Joseph's Do. Pulincunnu
8. A. T. English Middle School, Monkompu
9. S. V. English Middle School, Kayamkulam
10. N. S. English High School, Mannar
11. N. S. S. Do. Perunna
12. T. D. Do. Thuravoor
13. St. Berchman's Do. Changanacherry
14. St. Aloysius English High School for girls, Parur

ANNOUNCEMENT RE: (1) THE RECOGNITION OF THE TRAVANCORE UNIVERSITY FOR ADMISSION TO THE INDIAN CIVIL SERVICE AND GOVERNMENT OF INDIA EXAMINATIONS AND (2) THE EXTENSION OF THE PERIOD OF THE LEGISLATURE.

PRESIDENT: Before proceeding to the next item on the agenda, I am glad to be able to announce to the honourable members of the Assembly that the Secretary of State for India has accepted the suggestion to include the Travancore University in the list of recognised Universities for admission to the Indian Civil Service Examination. The Government of India have also recognised the University in respect of their examinations.

I have to make another announcement. The Government have decided that a general election of the Houses of the Legislature will not take place next year. The life of the Legislature will probably be extended for one more year. I felt that the members of the Legislature should be made aware of this decision fairly early. This decision has been arrived at as a matter of economy of time and money and so that candidates need not be put to unnecessary trouble and expenditure.

LEGISLATIVE BUSINESS.—(*contd.*)

THE TRAVANCORE DEBT RELIEF BILL—(*contd.*)

MR. M. R. NARAYANA PILLAI (*Tiruvalla*): Sir, before this Bill is allowed to be taken into consideration for its further stages, I wish to emphasise certain points. At the very outset I may say that if anything is intended to be given it should be given with grace. We should not do anything half-heartedly. It is particularly so with regard to this most important measure. The Bill should not necessitate the introduction or consideration or passing of another Bill within a short time to remedy the defects in this Bill. The Bill should be complete, adequate, definite and satisfying in all respects. There are debtors with small properties who may not be able to meet all their debts with their assets. Some provision should be made in the Bill so that they may get at least some portion of their properties free from debts. There was a proposal by the Debt Relief Committee that subject to a maximum of Rs. 5,000, there should be provision made allowing one-fourth of the property to be retained by the debtor for his subsistence. No man's household should be put up for sale for his debts. There should be some mercy shown to him.

The earliest official document that we have is a G. O. passed by the Government on the 11th of July 1939 and that G. O. brought into existence a Committee. That Committee sat for 34 days and deliberated in every detail with regard to the measures to be adopted for the relief of the debtors and they have produced a very valuable report and the Dewan on the 4th of March 1940 said that the Government are in entire agreement with a great deal of what is contained in the report. But in the face of that, the learned Legal Remembrancer

has introduced a Bill which does not at all conform with the majority of the recommendations of the Committee. The Bill as it is, I may be permitted to say, looks almost like a decapitated human trunk. The most important provision recommended by the Committee was for the scaling down of debts. That has been either innocently, voluntarily or deliberately omitted. I do not know which.

PRESIDENT: Is there not scaling down now?

MR. M. R. NARAYANA PILLAI: There is a reduction of 30 per cent. and 20 per cent.

PRESIDENT: Is that no scaling down?

MR. M. R. NARAYANA PILLAI: That is not what I mean by scaling down. I mean a renewal of debts which have been calculated on compound interest. If a man owed Rs. 100 ten years ago, it may now be Rs. 800, 900 or 1,000. That is why I said that there is no provision for scaling down of debts.

MR. PUTHUPALLI S. KRISHNA PILLAI: What is the rate of interest at which Rs. 100 at compound interest will come to Rs. 1,000 at the end of ten years?

MR. M. R. NARAYANA PILLAI: I am not a money lender.

PRESIDENT: The honourable member need not be disturbed in his rhetorical statements.

MR. M. R. NARAYANA PILLAI: Those who have been listening to the discussions during the previous sitting of the Assembly will now notice a considerable change in the attitude of the Government with regard to the Debt Relief Bill. The Legal Remembrancer has stated that there are two additions only in this Bill. But at the same time, as a clever lawyer, he has not mentioned anything about the most important omissions.

The principles which I want to emphasise are (1) scaling down of all sums by re-opening all transactions up to the last renewal prior to 1105, the date according to the Committee when the general depression set in. (2) No exception shall be allowed in the case of Banks or co-operative societies. (3) The institutions which the Government want to exempt should be mentioned in this Bill itself. This is a Bill meant for relief of the debtors and, in a way, calculated for the benefit of the creditors. So the institutions which they want to exempt should be specifically mentioned in this Bill. (4) Instalments for the payments of the debts should be spread over a period of twelve years. The present Bill recommends only 6 years. Even the Debt Relief Committee's report went a step further. Instead of trying to remedy Act III of 1102 the present Bill has gone a step behind. There, we had twelve years to pay off our debts. But here we have only 6 years. (5) Nothing is mentioned with regard to the interest for previous years. Interest has been allowed at the rate of 4 per cent on future debts and at the same time repealing the Act of 1112. According to that Act it is enough to pay 6 per cent interest. But here, with the repealing of that Act we will be taking away with one hand what has been given by the other hand. The sale of immovable property

[Mr. M. R. Narayana Pillai]

whether confirmed or not would be set aside by the Act of 1112. In the present Bill there are various kinds of quibbling with regard to this important matter. (6) Now with regard to appeals. If the District Court is considered as the court of final appeal in certain cases very many discrepancies will arise between the Rulings of the High Court and that of the District Court. So, instead of having some appeals heard in the District Courts and some in the High Court, I suggest that all appeals should lie direct to the High Court so that there will be uniformity of decision. (7) Under the Act III of 1112 it was provided that no agriculturist shall be arrested and put in prison.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: What is the Section for this in that Act?

MR. M. R. NARAYANA PILLAI: Section 37. So, I suggest that if the Bill is intended to give any relief to the debtor it should make provision for all these matters.

MR. J. E. A. PEREIRA (*Commerce and Industry, South*): Sir, it was a happy idea to have consulted the members of both the Legislatures previously in view of the great importance of this bill with the result I find that the proposed bill is a great improvement and we are highly thankful to the Dewan President for having given us the opportunity of previous consultation.

As representing 'Commerce and Trade' it is my duty to point out the possible repercussions of this bill as viewed from the point of Commerce and Trade. It may be conceded that according to conditions obtaining in Travancore, it is well-nigh impossible to distinguish 'Agriculturist' from 'non-agriculturist' and I compliment the Legal Remembrancer for the ingenious way in which he had tried to overcome this difficulty by introducing clause H in Section IV which says "any debt which represents the price of goods purchased for any purpose whatsoever." This is a wholesome provision which is acceptable to a good extent in as much as its effect is to exclude a good proportion of trade debts, although it is meant to cover goods for any purpose whatsoever including agricultural implements such as a plough or essential commodities like condiments and etc., but in practice a greater percentage of trade dealings will be found to come under this clause than those pertaining to agriculture and as such I welcome it in the interest of Commerce and Trade; but I submit that this does not go far enough: I say so because one important aspect of trade has been lost sight of *viz*., money lent for financing trade which ought to have been excluded from the purview of the bill has not been done. It is perhaps best explained by illustrating a hypothetical case. Supposing X has lent money for financing trade before 1112 to parties A, B, C who are all traders and if it so happened that all of them are thriving well and at the same time they had not thought of repaying the borrowed capital. They can now take shelter under the provisions of this bill and claim any one of the three privileges under Clause 8, 9 & 10 *i. e*., they can ask for 6 years time or 20 per cent remission and three years or 30 per cent remission and one year and if all the three parties A, B, C take

into their heads to claim, then what would be the position of X? X will be a ruined man. It will be very evident that this sort of contingencies shoul not be allowed to occur. While legislating, care has to be taken that there are no loop-holes by which any person can claim to be exempted from legal obligations without sufficient warranty therefor.

What is the most important point to remember, Sir, is that credit mechanism is the pivot on which the whole trade revolves and as such we have to think very seriously before doing anything which will go to impair the credit. Then we will be striking at the root of the economical prosperity of the State. And my belief is this omission will constitute an unwarranted inroad into credit mechanism. Therefore, I would earnestly plead that we should provide that money lent for financing business should be exempted from the purview of the bill.

I am very glad that there is no restriction in the proposed bill as regards the control of future debts. I say so because that there is a great scarcity of money in Travancore at present and it is not possible to foresee the possible trend in the near future and as such we cannot legislate for same at present.

As regards the provisions about Banks in bill, on paper it looks that the exemption from the operation of the bill has been accorded to the Banks but in practice this is not so. I doubt whether there will be any single Bank found in Travancore which would have lent money for 9 per cent or under but I would be quite satisfied if my above suggestion *Viz.*, money lent for the financing of trade should also be exempted is accepted.

Another serious drawback in the present bill is that no consideration is paid to the repaying capacity of the debtor. It will be recalled, I had pleaded for a better definition of 'Agriculturist' previously but this has not been done. Much pointed attention was drawn by several members that the repaying capacity of debtor should be taken into account but this has not been heeded by the Government. Under the circumstances the possible course to prevent this possible abuse is to fix an arbitrary limit of debt of Rs. 10,000 over which no relief will be given.

As I said earlier, the absence of this distinction will enable those who are even able to repay to repudiate their legal obligation. This is the state of matters that cannot be tolerated.

While appreciating the difficulty of not arriving between a clear-cut definition of 'Agriculturist' and 'non-agriculturist,' I would impress on the members of this house the necessity of preserving intact the credit machinery of all and sundry trades other than agricultural pursuits like plantations; otherwise, there will be very serious reactions. Having explained, I appeal to the members of the House to adopt the above suggestions of mine, *viz.*, to exclude, first, the money lent for financing trade other than agricultural plantations and secondly, to fix an arbitrary limit to the debt, say. Rs. 10,000 over which no relief need be given.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Thiruvalla*): A perusal of the copy of the Bill I am sure, must have created the feelings of extreme disappointment and dissatisfaction in the minds of all those who do sincerely realise the real sufferings of the people groaning under the crushing burden of indebtedness. Sir, when addressing a joint session of the Sri Mulam Assembly and the Sri Chitra State Council, the Dewan President said that the Debt Relief Enquiry Committee have gone into the matter most thoroughly and have produced an absolutely valuable report. During the course of the address the Dewan President also admitted that with regard to the question of reducing the rate of interest and also with regard to the question of the period of repayment, Government are at one with the Committee. Sir, if so, we are at a loss to understand why those valuable recommendations made by the Debt Relief Enquiry Committee especially with regard to the question of reducing the rate of interest and also with regard to the period of repayment, have not been included in the Bill under discussion. Sir, if this was the real attitude of the Government, I do not find any justification for the appointment of a Committee and for spending public money for this purpose and also for the purpose of holding a joint session of both the Houses of Legislature to discuss the Report. At the outset, I may be permitted to say that it was not at all proper on the part of the Legal Remembrancer while introducing the Bill last evening to tell the House that Government are not going to accept the Bill if any vast changes are effected by this House. Sir, I take that as a disrespect shown by the Government to the Legislature as a whole. If that was the real attitude of Government, why should the legislature be attempted to be made responsible for passing such an absolutely unsatisfactory piece of legislation like the one proposed. A Royal Proclamation would have been quite sufficient for this purpose.

The proposed legislation should certainly contain suitable provisions for the reduction of the rate of interest on loans, on the lines of the recommendations, contained in the Draft Bill annexed to the Report of the Debt Relief Enquiry Committee.

Sir, any debt relief measure without adequate provision for reduction in the rate of interest will not be of any substantial help to meet the existing extraordinary situation. So, my submission is that all the provisions contained in the report of the Debt Relief Enquiry Committee regarding the scaling down of debts, especially with regard to the reduction of interest, should certainly be embodied in the proposed enactment.

Sir, under Section 31 of the Agriculturists Relief Acts, (Act III of 1112) which is going to be repealed by the proposed enactment, on all debts on the date of the commencement of that Act, no future interest exceeding 6 per cent per annum was allowed and on all debts arising after that date, the maximum rate of interest allowed was 6 per cent for the secured debts and 9 per cent for the unsecured debts. Sir, it is doubtful whether under clauses 8, 9 and 10 of this Bill, the debt will be taken to be only the principal and the interest amounting up to half the principal only or a debt will be construed to be the principal and

interest accruing under Section 31 of Act III of 1112. It is also equally doubtful, Sir, whether under clauses 8, 9 and 10 of the Bill, a debtor will get the benefit of interest under Act I of 1010 and Section 31 of the Civil Procedure Code which provide that the creditor is entitled to recover till the date of suit only interest amounting up to half the principal, whatever may be the period of the debt and whatever may be the amount of the interest accrued on the principal. Because in clauses 8, 9 and 10 we find only the word debt; *i. e.*, the principal and interest. Whether it is interest accrued as per the interest regulation or under Section 31 of the Civil Procedure Code (that is interest amounting to or up to the half of the principal) or whether it is the whole amount of interest as per the terms of the contract which may exceed half the principal we are not sure.

Again, in order VIII Rule 6 of the Civil Procedure Code which deals with the question of set off we find the words "money legally recoverable." But neither in the definition of the word debt, nor in clauses 8, 9 and 10 do we find any such words such as to indicate that the word "debt" means only the legally recoverable debt. So my submission is that it is absolutely necessary that the position must be made clear and definite.

Sir, clause 4 of the Bill enumerates certain classes of debts not to be affected at all by the provisions of the proposed enactment. Clause 4 sub-clause (i) excludes the liability for the balance of purchase money arising out of sales of immovable property. Nothing is more hard and painful than this because the most important ground in favour of granting debt relief is the universal fall in prices of agricultural produce and the consequential fall in the value of immovable property. It is, therefore, really bad in principle to exclude any liability for the balance of purchase money arising out of sales of immovable property from the operation of the proposed enactment. It is also absolutely unnecessary to exclude any debt which represents the price of movables purchased for any purpose from the operation of this Bill.

Again, clause 6 of the Bill excludes under certain conditions.........

PRESIDENT : I wish to know this. So, if a man buys a motor car or bicycle he could at once ask for the amount to be paid in instalments ?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, a man purchases 100 paras of paddy for his food. At least there must be some provision to include under the operation of the Act at least all debts which represent the price of goods purchased for domestic or agricultural purposes. Suitable provisions should be embodied in the proposed enactment on the line I suggested now.

Sir, clause 6 of the Bill excludes under certain conditions the liability arising from any transaction with a bank if the rate of interest does not exceed 9 per cent per annum. Sir, it would give room to some doubts because there are liabilites arising out of transactions entered into by the Bank with certain individuals. I do not say that my position is quite correct, but there is room for such a doubt. In that case, it may be remembered that the liability arising out of the transactions of the Bank with the individuals are not intended to be

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excluded from the operation of the Bill. Let us take, for instance, the case of the Imperial Bank. Suppose the Bank is prepared to pay 70 per cent. of the debt due to their depositors within one year and then ask their depositors to accept that amount in full settlement of the deposit amount. The Bank will be right in doing so because according to the definition of the word 'debt' given in this Bill all deposits made in the Bank by individuals will also be debts for the purpose of this Act. So, my submission is that there should be clear and specific provisions with regard to all these points.

There is another serious defect in this Bill, that is, all debts due to Government are excluded from the operation of the Bill. But there are certain debts which are due by Government to the individuals. All these or any one of them are not excluded. Take for instance, a P. W. D. contractor who was entitled to get some amount for some work done for the Government before the 23rd of Dhanu 1113. Take it that for some reason or other, he could not get the amount from the Government till the date of the commencement of the proposed enactment. If Government are prepared to pay him within one year, I doubt, whether he will get the whole amount. There is no definite provision with regard to the debts due from Government to the individual though it is not the intention of Government.

Some of the provisions in the Bill are lacking in definitness, certainty and precision. and there are some provisions which are absolutely unnecessary. Clause 12 of the Bill provides for setting aside the court sale under certain conditions on depositing in court by the debtor 70 per cent of the debt due under the decree. Sir, it is very doubtful whether this 70 per cent of the debt will include only the amount for which the properties were brought to sale or whether it will include the amount for which the properties were brought to sale and also the interest accrued thereon from the date of the sale till the date of the application under the proposed enactment. That point is not at all made clear. We are not sure whether a debtor need deposit only 70 per cent of the amount for which the properties were brought to sale or whether he must deposit 70 per cent of that amount together with the interest accrued thereon from the date of sale up to the date of application.

Then, Sir, clause 12 (2) is to the effect that no amount in excess of 70 per cent he has deposited for setting aside the court sale under clause 12 (1) shall be recoverable from the judgment debtor or from any land or interest in land belonging to him. But, Sir, when we come to clause 13, we find that it is in direct conflict with clause 12 (2). Clause 13 says that for the amount in excess of the 70 per cent deposited as mentioned above, if this auction purchaser is a stranger the property of this debtor which is sold, also will be held liable. By virtue of clause 12 (2) he is exempted from paying the remaining 30 per cent of the debt. But, by virtue of clause 13 a statutory charge is created.

MR. PUTHUPALLI S. KRISHNA PILLAI: May I know the condition under which that special provision is made?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI; Under certain conditions; that is what I submitted at the outset.

MR. PUTHUPALLI S. KRISHNA PILLAI: May I know whether there are any special conditions?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Yes, when the auction purchaser is a stranger.

MR. PUTHUPALLI S. KRISHNA PILLAI: In that case who is to suffer? Whether the innocent auction purchaser or the debtor?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI I am pointing out certain inherent difficulties and defects in the Bill. My position is this: clause 12 (2) and clause 13 are in conflict with each other under certain conditions.

I did not submit that in all cases Clause 13 is applicable. It is applicable only when the auction purchaser is a stranger. When we want to give some relief to the Judgment-debtor whose properties were sold in court auction is it not rather very hard or painful to say that he must pay cent per cent. of his debt?

MR. PUTHUPALLI S. KRISHNA PILLAI: May I draw the attention of the honourable member to the provision contained in Clause 13 that such auction purchaser shall be entitled to realise the balance from the decree-holder and if any balance remains unrealised to that extent he shall have a charge on the property of the debtors because of three persons engaged in the transaction the debtor shall suffer and not the innocent auction purchaser; he is a third party to the transaction having nothing to do with it, who has stepped in relying on the law as it stood then. Who is to suffer? It is said that as between the debtor and the auction-purchaser, the debtor is to suffer.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: My point is where is the relief given to the debtor. Will the relief offered under Clause 13 to the unfortunate debtor, reach him?

MR. PUTHUPALLI S. KRISHNA PILLAI: Against whom the relief should be given in such cases; whether against the decree-holder or the innocent auction-purchaser. If the member's opinion is that the decree-holder should be given the benefit, the House may be benefited by the opinion. If the stranger auction-purchaser is to suffer let the honourable member say so, so that the House may know what exactly his opinion is. My honourable friend must be prepared to say in what respect it is wrong or in what respect it is inconsistent with equity, justice and good conscience.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I take it that all my points except this are conceded to be right by the Legal Remembrancer?

MR. PUTHUPALLI S. KRISHNA PILLAI: A word by way of personal explanation. There is a limit to the patience of even the Legal Remembrancer to Government.

PRESIDENT: It is suggested that the Legal Remembrancer would extend that limit.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I was submitting at the outset that he has exceeded that limit yesterday when he attempted to throw out a threat to this Assembly by telling us that Government will not accept any vast changes to the Bill. He ought to have been very careful then.

MR. PUTHUPALLI S. KRISHNA PILLAI: A word of personal explanation. I could have corrected the honourable member as he used certain words which I did not use. But it is open to the honourable member to put any interpretation on what I said. He did not purport to repeat what I said but only put an interpretation on what I said or was supposed to have said yesterday. I thought that for self-protection I was entitled to stand up and ask the honourable member for his opinion on matters on which he was making assertions.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, we find that in certain cases the benefit sought to be given to the debtor is attempted to be taken away from him by means of some other provision contained in the Bill. That was my position.

Chapter IV of Act III of 1112 deals with the limitation of the arrest of the judgment-debtors. Even though Act III of 1112 is going to be repealed by the new legislation we do not find any similar provision in this Bill. Chapter IV of Act III of 1112 is a permanent beneficial provision effected in the existing Civil Procedure Code. So my submission is that a similar provision should also be embodied in the new Act.

Under these circumstances my submission is that the Select Committee to be appointed in this behalf must be given un-fettered discretion to effect the necessary changes so that the Bill may be made more useful and acceptable to all parties concerned.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*): Sir, the Bill contains four reliefs namely, scaling down, paying in instalments, cancellation of court sales and reduction of interest. So far as the scaling down of debts is concerned, in my view two principles ought to be followed, *viz.* the paying capacity of the debtor as well as equities between the parties. A pertinent example was mentioned by the honourable President the other day a poor widow being the creditor and a rich man being the debtor. In such cases the question is how far it will be equitable to allow this relief to the debtor who is neither legally nor equitably nor morally entitled to that relief. In my humble view what the Legislature should do is to lay down certain general principles, and prescribe the maximum and minimum amount to which debts could be scaled down and leave it to the courts so that they might exercise their discretion in deciding each case. In the scaling down as adopted by the Bill. I find another matter which appears to be inequitable. We have got an enactment known as the Chitties Act. Under that Act the foreman is bound to deposit the entire amount due to the prized subscriber in a bank, of course if he

wants the scheme running and if the subscriber does not receive the amount before the next instalment. Under this Bill however the foreman has to receive only 70 per cent. under clause 10. This calls for modification.

It appears to me further, that the provisions in regard to scaling down could be defeated by the creditors if they are so inclined. Under Rule 10 the period prescribed is one year. Let us take the case of a bond or a promissory note payable on demand. The period for instituting a suit will be six years. The Bill does not apply to debts incurred after 23rd Dhanu 1112. Let us suppose that the bond or the promissory note was executed on the 22nd Dhanu 1112 and we pass this Bill in 1115 or 1116. Suppose the creditor does not sue till 22nd Dhanu 1118. It being an unsecured debt I doubt whether the debtor could compel the creditor through the civil court to receive the debt. That means that the creditor could with impunity defeat the provision which is prescribed by this clause. So if the creditor does not institute a suit, it means that the debtor will not be entitled to the relief. So my submission is that it is the duty of the Legislature to see that no debtor defeats the provisions of the Act, because of its defect.

So far as scaling down and payment of debts are concerned it appears to me that unless some ways and means are provided so as to place within the reach of the debtors the money required the Act would be a dead letter especially because the Bill prescribes a period of one year and three years for paying the scaled down debts. That means almost simultaneously the whole amount should be found for clearing all the debts in the State. I ask is it possible? Have we got any source for ensuring that the debts could be paid within that period? I shall now point out another defect. In the case of paying the scaled debts within one year or three years, suppose the debtor pays all the instalments except the last instalment. The Bill places him in the same position as one who has not paid anything. It appears to me that we must make some provision for such cases as otherwise it will be inequitable.

As for payment in instalments it must be a matter which in my view, should be left to the discretion of the courts. A decree can be kept open for 12 years. But the Bill limits the period for this relief to six years only. I should think that in appropriate cases the courts may be authorised to extend the period according to the circumstances of each case considering all the equities between the parties.

Another point that I wish to place before the House is in regard to the scanty relief that is being afforded to the agriculturists. For instance, take Clause 4. It takes away from the scope of the Bill all debts of an agriculturist. Sub-Clause (*d*) takes away from the scope of the Bill all liability arising out of a transaction in the nature of a lease. The reason for the general economic depression is said to be the fall in the prices of agricultural produce. The lessees are the persons who have been cultivating the land. Yet the Bill says that

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they are not entitled to any relief. I fear that the agriculturists get very little benefit under the proposed Bill. The Cochin Agriculturists' Relief Act, XVIII of 1114 and the Madras Act IV of 1938 afford liberal reliefs to the lessees in this matter. Section 16 of the Cochin Act reads thus, "All arrears of interest outstanding at the commencement of this Act and the entire Pattom in arrears for the period prior to the 1st day of Chingom 1107 and 50 per cent of the Pattom in arrears for the period subsequent thereto up to the Commencement of this Act shall be deemed to be discharged and only the balance shall be deemed to be arrears due from the Agriculturist at the commencement of this Act."

Section 15 of Act IV of 1938 reads thus, "All rent payable by an agriculturist to a land holder or an under tenure holder under the Madras Estates Land Act, 1908 or to a Jenmi under the Malabar Tenancy Act, 1929 which has accured for the falsi year 1345 and prior faslis and which is outstanding on the date of the commencement of this Act shall be deemed to be discharged." In view of these very liberal Remissions in territories adjacent to this State I would appeal to the House to adopt a similar provision. Otherwise the poor agriculturists would continue to remain in highly distressed positions.

MR. PUTHUPALLI S. KRISHNA PILLAI: May I know what the Debt Relief Committee recommended after considering the several provisions of law in force in the neighbouring Provinces?

MR. C. JEBAMONY NADAR: That is why we do not accept the report and the bill as proposed by the Debt Relief Committee. If we had accepted that there would have been no new Bill such as this.

MR. PUTHUPALLI S. KRISHNA PILLAI: Is it the honourable member's opinion that there are several matters in the report which are not acceptable or which ought not to have been accepted here?

MR. C. JEBAMONY NADAR: So far as I am concerned I am not bound by any opinion expressed by the committee. Irrespective of that document and the statements contained in it, it is the right and privilege of this House to legislate, as the House thinks fit. Hence I am not taking the report of the committee as a guiding factor. Of course, that report has proved of use in certain matters. With due respect to the learned members of that committee, I do differ in certain matters.

I do not see any justification for excluding Pattom or rent from the ambit of relief measures. That is tantamount to saying that no relief should be granted to the real agriculturists.

As between the mortgagor and the mortgagee the person in possession of the property is the sufferer. He is the person who is affected by the fall of agricultural products. According to the Debt Relief Bill however, the mortgagor is favoured rather as against the mortgagee for relief purposes. That is seen from clause (5) of the bill. It reads as follows:—

> "Except in the cases mentioned hereunder, nothing contained in this Act shall affect any usufructory mortgage by virtue of which the mortgagee is in possession of the mortgaged property........"

Exception (2).

"A claim by a mortgagee whether arising under a decree or otherwise for recovery of the mortgage amount."

So if a mortgagee institutes a suit the mortgagor can claim the relief provisions of the bill. That amounts to a virtual prohibition of mortgage suits by the mortgagees. Here it is an unnecessary preference shown to the mortgagor as against the mortgagee.

MR. PUTHUPALLI S. KRISHNA PILLAI: As between the mortgagor and the mortgagee, may I know who the debtor is?

MR. C. JEBAMONY NADAR: It is not exactly a case of debt.

Ever since the depression began, the mortgagee was losing being unable to realise sufficient interest. He is now discouraged from realising his amount. If he goes to court then his claim is delayed. On the other hand the money which the mortgagor received perhaps, 62 years ago is not to be paid even when it is demanded after such a long time.

Regarding court sales I have to say a word. According to me, when an act is done under a particular Statute it is hard to nullify it by a subsequent Statute. A court sale takes place under the provisions of the Civil Procedure Code which is in force for the past so many years. Now we want to turn down what was done by that legislation. I am not inclined to support such a proposition. Further there would be difficulties in enforcing the new provision. Suppose a property is sold and the decree holder assigns his rights and a third person comes in having paid the full auction amount bonafidely? Is he to loose his money or at least part of it? In certain cases delivery of the property would have been effected and then valuable improvements by putting up a building etc. would have been effected. Has the bill made any provision for compensation? It is a matter for the serious consideration of the House whether the sales which have taken place and already confirmed should be set aside. I think we must also make sufficient provision for safeguarding the interests of the stranger auction purchaser. Relying on the existing Statute an auction purchaser comes and bids in court sale; such rights should not be lightly interfered with. As the Bill stands he will not be able to get his full money because the debtor may take advantage of the provisions of scaling down and may therefore deposit only a portion of the auction amount and the auction purchaser would have difficulty in realising the balance amount. I do not know whether under this Bill he could realise his amount in execution or file a fresh suit. The vagueness of the Bill is likely to create various practical difficulties for auction purchasers and thereby affect court sales.

MR. PUTHUPALLI S. KRISHNA PILLAI: May I know what happens according to the existing law when a sale is set aside? I refer to the bid by the auction purchaser who is a stranger. What remedy is to be found for that purpose?

MR. C. JEBAMONY NADAR: Under the Civil Procedure Code a sale is set aside because it is vitiated by irregularities and illegalities. But the present case is different.

MR. PUTHUPALLI S. KRISHNA PILLAI: What will happen even if the sale is set aside at the instance of a third party and who is not a judgment debtor? May I ask, from whom could he realise his money. What are the provisions of the law on which he can rely for the purpose of claims.

MR. C. JEBAMONY NADAR: So far as that aspect is concerned, there the auction purchaser comes forward voluntarily on his own responsibility and conscious of the risks likely to result. But here the new law drives him to that position. When we make a new law it is our duty to see that the interests lawfully created by the prior law are also safeguard. If a sale is set aside under this Bill it is not because of any irregularity or fault of anyone but simply because of the new law. I therefore plead for sufficient protection for those who have acted in accordance with the then law so that they may realise their amounts without any difficulty. With these few observations and hoping that the views of the several members expressed in this House will be taken note of by the select committee I support the general principles of the Bill.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : ജ്ജനനിവാരണചട്ടത്തെ സംബന്ധിച്ച് തുടർച്ചയായി ശക്തിമത്തായ വാദപ്രതിവാദങ്ങൾ അനുദ്യോഗസ്ഥഭാഗത്തുനിന്നും നടന്നു. അതിന്റെ ഫലമായി ഈ സഭയിൽ ഒരു നിയമം പാസാക്കുകയും അതു് ഈ നാട്ടിലെ ൯൦ ശതമാനം ജനങ്ങൾക്കും ആശ്വാസം നൽകുകയും ചെയ്തു. ഇന്നു് മി: ടി. പി. വേലായുധൻപിള്ളയും ഗവൺമെന്റു ഭാഗത്തുള്ള മെംബറും തമ്മിൽ ചില സ്വരച്ചേർച്ചയില്ലായ്മപോലെ കണ്ടതുകൊണ്ടു് എനിക്കു വളരെ മനസ്താപമുണ്ടു്. നിയമം എന്നു പറയുന്നതു നാട്ടിലെ ഭൂരിപക്ഷം ജനങ്ങളെ സ്പർശിക്കേണ്ടതും അതുകൊണ്ടുള്ള നന്മ എല്ലാവർക്കും കിട്ടേണ്ടതുമാണു. ഈ തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തി ഈ നിയമം ഇവിടെ പാസാക്കണമെന്നു നിശ്ചയിക്കുന്ന പക്ഷം ഇതിൽ ചില്ലറ ഭേദഗതികൾ ചെയ്യേണ്ടതായിട്ടുണ്ടു്. പലിശയെ സംബന്ധിച്ച് കടം മുൻപുള്ളതായാലും പിൻപുള്ളതായാലും ൪ ശതമാനമെന്നോ ൬ ശതമാനമെന്നോ നിശ്ചയിക്കണം. അല്ലാതെ സ്കെയിലിംഗ് ഡൗണിൽ അർത്ഥമില്ല. ഇവിടെ ആകെ ൩൦ കോടി രൂപയുടെ കടമുണ്ടു്. ഈ ബിൽ അനുസരിച്ചു ൨൦ കോടി രൂപ കൊടുത്താൽ ഈ കടം തീരും ഇത്രയും ഒന്നിച്ചു കൊടുക്കുന്നതിനു നമ്മുടെ ഗവൺമെന്റിനുപോലും സാധിക്കുമൊ എന്നു സംശയമാണു്. ഇങ്ങനെ സാദ്ധ്യമല്ലാത്ത ഒരു

കാൎയ്യം നിയമത്തിൽ ചേൎത്തതുകൊണ്ടു ഒരു വിശേഷവുമില്ല. ഇപ്പോഠം വസ്തുക്കാഠക്കു വില കുറഞ്ഞുവരുന്നു. പണം സ്വൎണ്ണമാക്കി മണ്ണിൻെറ അടിയിൽ കുഴിച്ചിടാൻ പോകുന്നു എന്നും മററുമൊക്കെ പറഞ്ഞുകൊണ്ടിരിക്കുന്ന ഈ സന്ദൎഭത്തിൽ തുക കുറച്ചുകൊടുത്തതുകൊണ്ടു ഒരു വിശേഷവുമില്ല. അതുകൊണ്ടു പണം കൊടുത്തവനു കടക്കാരൻെറ വസ്തു വിട്ടുകൊടുക്കുന്നതിനു വേണ്ട വ്യവസ്ഥകളുണ്ടാകണം. ൧൦൦൦ രൂപ പലിശക്കു കൊടുത്താൽ ൧൨ രൂപ പലിശ കിട്ടുമെങ്കിൽ വസ്തു വാങ്ങിച്ചാൽ ഇതിൽ കൂടുതൽ ആദായം കിട്ടുമെന്നുള്ള ഒരു പരിതസ്ഥിതി ഇവിടെ ഉണ്ടാകണം. അങ്ങിനെ ചെയ്താൽ ഈ രാജ്യത്തെ സാമ്പത്തികാധഃപതനവും ജനങ്ങളുടെ കഷ്ടതയും തീരുന്നതാണ്. ഈ രാജ്യത്തെ കടക്കാരെ സഹായിക്കണമെന്നുള്ള ആത്മാൎത്ഥത ദിവാൻജിയുടെ പ്രസംഗത്തിൽനിന്നും വെളിവായിട്ടുണ്ടു്. ഈ രാജ്യത്തെ ദിവാൻജിയായിരുന്ന ഒരു മഹാനുഭാവൻ ചെയർമാനായിരുന്ന കമ്മററിസമൎപ്പിച്ചിട്ടുള്ള റിപ്പോൎട്ടു ജനങ്ങളുടെ കഷ്ടതകഠക്കു ഏററവും പൎയ്യാപ്തമായ ഒന്നാണ്. അതനുസരിച്ചു പലിശ കുറയ്ക്കണമെന്നും കാലാവധി കൂട്ടിക്കൊടുക്കണമെന്നും ലേലം അസ്ഥിരപ്പെടുത്താനുള്ള അവകാശം സാമ്പത്തികാധഃപതനം തീരുന്നതുവരെ നീട്ടിവയ്ക്കണമെന്നും അപേക്ഷിച്ചുകൊണ്ടു ഈ ബിൽ സിലക്ടു കമ്മിററിക്കു അയയ്ക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. P. S. MUHAMED (*Quilon cum Kottarakara*): സർ, ഡെററ് റിലീഫ് ഈ തിരുവിതാംകൂറിൽ വേണമെന്നു പറയാൻ തുടങ്ങിയതു് ൧൦൯-നു ശേഷമാണ്. ൧൦൯-നു ശേഷം റിലീഫ് വേണമെന്നു കടക്കാർ ഒരു വശത്തുകൂടി ആവശ്യപ്പെടുകയും അതു രാജ്യത്തിൻെറ ക്രെഡിററിനു ഹാനികരമായിത്തീരുമെന്നു മറുവശത്തുനിന്നും ചിലർ പറയുകയും ചെയ്തുകൊണ്ടിരുന്നപ്പോഠം, ലീഗൽ റിമെംബ്രൻസർ പറഞ്ഞതുപോലെ, ഒരു ആർബിട്രേററുടെ നിലയിൽ ഗവൺമെൻറു ഇടയ്ക്കു നിന്നുകൊണ്ടു ക്രെഡിററിനു ദോഷംവരാതേയും, എന്നാൽ സങ്കടം അനുഭവിക്കുന്ന കടക്കാൎക്കു ഏതെങ്കിലും ന്യായമായ ഒരു പരിഹാരം ലഭിക്കത്തക്കവണ്ണവും, ഒരു വ്യവസ്ഥ വരുത്തണമെന്നു നിശ്ചയിച്ചു. അതിനായി ആദ്യം ഡെററ് റിഡെംഷൻ കമ്മിററിയെ നിയമിച്ചു. അവരുടെ ശുപാർശയുടെ ഫലമായി ൧൧൨-ലെ ൩-ാം ആക്ട് നടപ്പിൽ വരുത്തി. ഈ ആക്ട് വായിക്കുന്ന ഏതൊരാഠക്കും ഇവിടെ ഒരു ഡെററ് റിലീഫിൻെറ ആവശ്യമുണ്ടെന്നു് ബോദ്ധ്യപ്പെടും. കടക്കാരനേയും കടം കൊടുത്തവനേയും തമ്മിൽ യോജിപ്പിച്ചു കടത്തിനു പരി

[Mr. P. S. Muhamed]

ഹാരമുണ്ടാകത്തക്ക നിലയിൽ ചില വ്യവസ്ഥകളാണ് അതിൽ ചെയ്തിട്ടുള്ളതു്. അതായതു പലിശ കുറയ്ക്കുകയും ൧൧ കൊല്ലം കൊണ്ടു് വർതവണയായി മുതൽ കൊടുക്കത്തക്ക വ്യവസ്ഥകളെ നിർദ്ദേശിക്കയും ചെയ്തിരുന്നു. അതിനുശേഷം ഗവണ്മെൻറിൽനിന്നും ഒരു റിലീഫ് കമ്മിററിയെ നിയമിച്ചു. അതിലെ അംഗങ്ങൾ എന്തുകൊണ്ടും അവരുടെ അഭിപ്രായം വിലമതിക്കത്തക്കവിധത്തിലുള്ള ഗണനീയന്മാരായിരുന്നു. ഒരാൾ ഇവിടെ മുൻപു ദിവാൻജിയായിരുന്ന ദേഹം, വേറൊരാൾ ഇവിടെ പല ഡിപ്പാർട്ടുമെൻറിലും ഇരുന്നു ഒടുവിൽ ചീഫ് സെക്രട്ടറിയായിരുന്നു പെൻഷൻവാങ്ങി അടുത്തകാലത്തു ഇഹലോകം വെടിഞ്ഞ ഒരു ദേഹം. മററുള്ളവരും അവരെപ്പോലെതന്നെ നിലയുള്ളവർ ഇങ്ങനെയുള്ള മാന്യന്മാർ രാജ്യത്തെ ക്രെഡിററുപോകാതെ കടക്കാർക്കു പരിഹാരം കിട്ടണമെന്നുള്ള തത്വത്തെ മുൻനിറുത്തിയും കടം കൊടുത്തവനു നഷ്ടം വരാതിരിക്കത്തക്ക വിധത്തിലും വേണ്ട വ്യവസ്ഥകളടങ്ങിയ റിപ്പോർട്ടു സമർപ്പിച്ചു. യഥാർത്ഥമായ റിലീഫ് ജനങ്ങൾക്കു കിട്ടണമെങ്കിൽ കടത്തിനു ലാഘവം വരുത്തണം. അതായതു മുതലിൽ നഷ്ടം വരാതെ ലാഭത്തിൽ കുറവു വരുത്തി കടത്തിന്റെ ഭീമത്വം കുറയ്ക്കണം.

MR. KOTTALIL P. ABRAHAM : ആ കമ്മിററിയിൽ ലീഗൽ റിമെംബ്രൻസർ ഉണ്ടായിരുന്നോ ?

MR. P. S. MUHAMED : ഉണ്ടായിരുന്നു. മററു പലരും ഉണ്ടായിരുന്നു.

MR. KANNANTHODATH JANARDANAN NAIR : ലീഗൽ റിമെംബ്രൻസർ ഡിസെൻറിംഗ് മിനിട്ടു വല്ലതും എഴുതിയിട്ടുണ്ടോ ?

MR. P. S. MUHAMED : അവിടെ പുറപ്പെടുവിച്ച അഭിപ്രായംതന്നെ ഇവിടെയും പുറപ്പെടുവിക്കണമെന്നു നിർബന്ധമില്ല.

MR. PUTHUPALLI S. KRISHNA PILLAI : ലീഗൽ റിമെംബ്രൻസർ അസെൻറിംഗ് മിനിട്ടു വല്ലതും എഴുതിയിട്ടുണ്ടോ ?

MR. P. S. MUHAMED : സാധാരണ ഡിസെൻറിംഗ് മിനിട്ടു എഴുതുകയേ പതിവുള്ളു.

ഈ റിപ്പോർട്ടുകൊണ്ടു ഇവിടത്തെ ജനങ്ങൾക്കു റിലീഫിന്റെ ആവശ്യമുണ്ടെന്നുള്ളതു പ്രത്യക്ഷപ്പെടുന്നുണ്ടു്. ഏതു തത്വത്തെ ആശ്ര

യിച്ചാണ് റിലീഫ് കൊടുക്കേണ്ടതെന്നു വേണം നോക്കാൻ. ഇവിടത്തെ സാധനങ്ങൾക്കു ധാരാളം വിലയുണ്ടായിരുന്ന കാലത്തു ജനങ്ങൾ കൈവശമുണ്ടായിരുന്ന പണമെല്ലാം ഭൂമിയിൽ മുടക്കുകയും ആദായം വർദ്ധിക്കുന്നതായി കാണുകയും, തന്നിമിത്തം ഒരു സ്ഥലത്തുമില്ലാത്ത രീതിയിൽ ബാംകുകൾ ധാരാളമായി ഉണ്ടാകുകയും അവർ ജനങ്ങളെ പ്രേരിപ്പിച്ചു ധാരാളം ഭൂമി വാങ്ങിപ്പിക്കയും ചെയ്തു. അതിനുശേഷം പെട്ടെന്നു സാമ്പത്തികാധഃപതനം നേരിടുകയും, കടം വാങ്ങിച്ചു പണം തിരിയെ കൊടുക്കാൻ നിവൃത്തിയില്ലാത്തവരായി ജനങ്ങൾ വളരെ വിഷമിക്കയും ചെയ്തു. ഭൂമിയിൽനിന്നും കിട്ടുന്ന സാധനങ്ങളുടെ വില കുറയാതിരുന്നുവെങ്കിൽ ജനങ്ങൾ അവരുടെ കടം തീർത്തിരിക്കുമായിരുന്നു. കമ്മിററിയുടെ റിപ്പോർട്ടിൽ സാധനങ്ങളുടെ വിലക്കുറവിനെപ്പററി ഒരു സ്റ്റേററുമെൻറു കൊടുത്തിട്ടുണ്ട്. അതിലെ ചില ഭാഗങ്ങളെ ഞാൻ താഴെ ചേർക്കുന്നു.

കൊപ്രാ	൧൦൪-ൽ	കണ്ടിക്ക്	൯൫	രൂപ.
	൧൦൬	,,	൫൮	രൂപ.
	൧൧൪	,,	൪൨	രൂപ.
പെപ്പർ	൧൦൪	,,	൫൦൦	രൂപ.
	൧൦൬	,,	൧൦൬	രൂപ.
	൧൧൪	,,	൧൧൪	രൂപ.

MR. M. L. JANARDANA PILLAI: പെപ്പർ കണ്ടിക്കു ൫·൦൦ രൂപാ വില വിലയുള്ളപ്പോൾ വാങ്ങിച്ചു സ്ററാക്കുചെയ്തു കച്ചവടക്കാരനു വില കുറയുമ്പോൾ നഷ്ടം വരികയില്ലേ ?

MR. P. S. MUHAMED: വിലകുറയുമ്പോൾ കച്ചവടക്കാർക്കു മാത്രമല്ല കടം കൊടുത്തവനും കടം വാങ്ങിച്ചവനും എല്ലാവർക്കും നഷ്ടം വരുന്നതാണു. ഈ സ്ഥിതി കഴിഞ്ഞ പത്തുകൊല്ലമായി തുടർന്നുകൊണ്ടിരിക്കയാണ്. ഈ പരിതഃസ്ഥിതിയിൽ ജനങ്ങളുടെ കഷ്ടതകൾക്കു ഒരു നിവാരണമാർഗ്ഗം ഉണ്ടാക്കേണ്ടതു തിരുവിതാംകൂറിനെപ്പോലെ പ്രജകളെ സ്നേഹിച്ചു ഭരണം നടത്തുന്ന ഒരു രാജ്യത്തെ ഒഴിച്ചുകൂടാത്ത കടമയാണ്. മററുപല രാജ്യങ്ങളും ഇങ്ങനെയുള്ള ഒരു നിയമം കൊണ്ടുവരികയും പാസാക്കുകയും ചെയ്തുകഴിഞ്ഞു. മററുള്ള സ്ഥലങ്ങളിൽ കർഷകരെ മാത്രമെ നിയമത്തിൻെറ പരിധിയിൽ കൊണ്ടുവന്നിട്ടുള്ളു. ഇവിടെ എല്ലാ കടക്കാരേയും ഉൾപ്പെടുത്തിയിട്ടുണ്ട്. മററു രാജ്യങ്ങളിൽ പലിശയുടെ

[Mr. P. S. Muhamed.]
നിരക്കു കുറച്ചു ഋണഭാരം ലഘുവാക്കപ്പെട്ടിട്ടുണ്ട്. മദ്രാസിൽ പലിശ മാത്രം മുതലിലധികം കൊടുത്തുപോയിട്ടുണ്ടെങ്കിൽ ആ കടം "വൈപ്പ് ഔട്ട്" ചെയ്യത്തക്ക രീതിയിലാണ് നിയമം പാസാക്കിയിട്ടുള്ളത്. എന്നാൽ ഒരു ന്യായമായ നിലയിൽ ഒരു വ്യവസ്ഥ വരുത്തണമെന്നു മദ്ധ്യസ്ഥനിലയിൽ നിൽക്കുന്ന ഗവമ്മെൻറു വിചാരിക്കുന്നുണ്ടെങ്കിൽ അതിനോടു യോജിക്കുവാൻ ഈ സഭയിലുള്ളവർ തയ്യാറായിരിക്കുമെന്നാണ് എൻെറ വിശ്വാസം.

പലിശയെസംബന്ധിച്ചാണ് പ്രധാനമായിനോക്കേണ്ടത്. ൧൦൯൬-നു മുൻപുള്ള കടങ്ങൾക്കു ൪ അര ശതമാനം പലിശ കണക്കാക്കണമെന്നും അതിനുശേഷമുള്ള കടങ്ങൾക്കു ൩ ശതമാനം പലിശ കണക്കാക്കണമെന്നുമാണ് റിപ്പോർട്ടിൽ പറയുന്നത്. ഇങ്ങിനെ മുതലിൽ നഷ്ടം വരുത്താതെ ലാഭത്തിൽ അതായതു പലിശയിൽ ഒരു ചെറിയ നഷ്ടം ക്രെഡിററർ സഹിക്കുന്നതുകൊണ്ടു യാതൊരുവിധമായ ദോഷവുമില്ലെന്നു കമ്മിററി റിപ്പോർട്ടുചെയ്കയും അതനുസരിച്ചു ഇവിടെ വാദിക്കയുംചെയ്തു കഴിഞ്ഞിട്ടുള്ള ഈ സന്ദർഭത്തിൽ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ബിൽ റിലീഫ് ബിൽ എന്ന സ്വഭാവം മാററി കടം പിരിക്കാനുള്ള ഒരു റിക്കവറി ബില്ലിൻെറ രീതിയിലാണു കാണുന്നതു്. ഈ ബില്ലുകൊണ്ടു കടക്കാരനു ഒരു റിലീഫും ഞാൻ കാണുന്നില്ല. എഴുപതോ എൺപതോ ശതമാനം കൊടുത്താൽ മതിയെന്നുള്ള ഭാഗം ഞാൻ സമ്മതിക്കുന്നു. എന്നാൽ ഈ ബില്ലിൻെറ സ്വഭാവം കടക്കാരനെ കടം കൊടുത്തുതീക്കാൻ പ്രേരിപ്പിക്കുന്ന ഒന്നാണ്. അങ്ങിനെയല്ല വേണ്ടതു്. നേരെമറിച്ച് ക്രെഡിററർ കടക്കാരനു ഇത്ര ശതമാനം ഇളവുചെയ്തുകൊടുക്കാമെന്നു പറയത്തക്കവണ്ണം അവരെ പ്രോത്സാഹിപ്പിക്കുന്ന ഒരു ബില്ലാണു നമുക്കു വേണ്ടതു്. ഇവിടെ ബില്ലിൻെറ പ്രിൻസിപ്പിൾ ഒന്നു മറിഞ്ഞുപോയി എന്നെയുള്ളു. കടക്കാരുടെ റിലീഫിനായിട്ടുണ്ടാക്കിയ ബില്ലു ക്രെഡിറേറഴ്സിനെ സഹായിക്കുന്ന നിലയിലായിപ്പോയതിനാൽ ഈ ബില്ലിൻെറ തത്വത്തെത്തന്നെ എതിർക്കേണ്ടതാണ്.

പിന്നീടു തവണയുടെ കാര്യം നോക്കുകയാണെങ്കിൽ ൩ മാസത്തിനകം പണം കൊടുത്തില്ലെങ്കിൽ മുഴുവൻ തുകയും ഒന്നിച്ചു ഈടാക്കാമെന്നാണ് ബില്ലിൽ പറയുന്നതു്.

MR. KOTTALIL P. ABRAHAM : കൊടുക്കാൻ പ്രാപ്തിയുണ്ടായിരുന്നിട്ടും കൊടുക്കാത്ത മടിയന്മാരായ കടക്കാരില്ലേ ?

MR. P. S. MUHAMED : ഉണ്ടായിരിക്കാം. മടിയന്മാരായാലും അല്ലെങ്കിലും കടക്കാരെല്ലാം നിവൃത്തിയുണ്ടെങ്കിൽ കടത്തിൽനിന്നും രക്ഷപ്പെടണമെന്നു വിചാരിക്കുന്നവരാണ് അധികം പേരും. പണം കയ്യിൽ വച്ചുകൊണ്ടു മനഃപൂർവ്വം കടക്കാരായിരിക്കാൻ ആരും ആഗ്രഹിക്കയില്ല. എന്നാൽ കടം തീർക്കാനായിട്ടുള്ള പണം വിനിയോഗിച്ചു കൂടുതൽ ആദായം ഉണ്ടാക്കാമെന്നു വിചാരിക്കുന്നവർ ചിലർ കണ്ടേക്കാം. അങ്ങിനെ ചിലരുണ്ടെന്നു വിചാരിച്ചു പരിഹാരം കൊടുക്കണ്ടാ എന്നു പറയുന്നതു ശരിയല്ല.

കൊടുക്കേണ്ട കടം കൊടുത്തില്ലെങ്കിൽ മുഴുവൻ തുകയും കൊടുക്കേണ്ടിവരുമെന്നുള്ള വിശ്വാസത്താൽ വീണ്ടും കടം വാങ്ങിച്ചു മുൻകടം തീർക്കത്തക്കവണ്ണമുള്ള ഒരു സ്ഥിതി വരുത്തരുതെന്നാണ് എനിക്കു പറയുവാനുള്ളതു്. കടക്കാരനു യഥാർത്ഥത്തിൽ റിലീഫ് കിട്ടണമെന്നും ക്രെഡിറ്റർക്കു നഷ്ടം വരരുതെന്നും വിചാരമുണ്ടെങ്കിൽ മുൻപു നിശ്ചയിച്ചതുപോലെ കടം ൨൰ കൊല്ലംകൊണ്ടു ൪൰ തവണകളിലായി തീർക്കുന്നതിനു വേണ്ട വ്യവസ്ഥകൾ ചെയ്കയാണു വേണ്ടതു്. കടം ഒന്നോ രണ്ടോ കൊല്ലത്തിനകം കൊടുത്തുതീർക്കാൻ സാധിക്കുന്ന കടക്കാരനു റിലീഫ് കിട്ടത്തക്കവണ്ണവും വേണ്ട വ്യവസ്ഥയുണ്ടാക്കണം.

ഇനി ബില്ലിന്റെ മറ്റൊരുവശം പറയാം. ഈ ബില്ലിൽനിന്നും ഒഴിവാക്കേണ്ട കടക്കാരെയെല്ലാം . ഒഴിച്ചാൽ ഈ ബില്ലിന്റെ പരിധിയിൽ തിരുവിതാംകൂറിലെ കടക്കാരിൽ ൨൦ ശതമാനം മാത്രമെ ഉൾപ്പെടുകയൊള്ളു. സാധനങ്ങളായി കൊടുക്കൽവാങ്ങൽ ചെയ്തിട്ടുള്ളതെല്ലാം ഈ ബില്ലിന്റെ പരിധിയിൽനിന്നും മാററിവയ്ക്കണമെന്നാണു പറയുന്നതു്. ഇങ്ങനെ വരുമ്പോൾ ൮൦ ശതമാനത്തിൽ കൂടുതൽ കടം ഈ രീതിയിൽ മാറിപ്പോകും. ൰൮ ശതമാനത്തിലധികം ബാങ്ക് വ്യവസ്ഥ അനുസരിച്ചു മാറും. ഗവണ്മെൻറിനു ചെല്ലേണ്ട കടങ്ങളെല്ലാം ഒഴിവാക്കേണ്ടതുതന്നെ. ഇതെല്ലാം കഴിച്ചു യഥാർത്ഥത്തിൽ ബില്ലിന്റെ പരിധിയിൽ ഉൾപ്പെടുന്നതു പത്തോ പതിനഞ്ചോ ശതമാനം കടക്കാർ മാത്രമാണ്. ഇതു ഒരു നല്ല നയമാണെന്നു തോന്നുന്നില്ല. കച്ചവടം ശരിയായി നടക്കത്തക്കവണ്ണവും പണം ശരിയായി സർക്കുലേററു ചെയ്യത്തക്കവണ്ണവും വേണ്ട വ്യവസ്ഥകൾ വച്ചുകൊണ്ടു സകല കടക്കാരേയും ഈ ബില്ലിന്റെ പരിധിയിൽകൊണ്ടുവരണം. ഗവണ്മെൻറിന്റെ ഡ്യൂസ് ഒഴിവാക്കുന്നതിൽ തരക്കേടില്ല.

[Mr. P. S. Muhamed.]

൧൦൭-ന ശേഷം ഇന്നുള്ള കടക്കാരെ മുഴുവൻ സൃഷ്ടിച്ചതു ബാംകുകളാണ്. മഴയത്തു പുല്ലുകുരുക്കുന്നതുപോലെ ൧൦൭-ന ശേഷം ഈ രാജ്യത്തു ധാരാളം ബാംകുകളുണ്ടായി. കൂടുതൽ ഷെയർ ഹോൾഡേഴ്സിനെ ഉണ്ടാക്കാനും കൂടുതൽ ലാഭം ഉണ്ടെന്നു കാണിക്കാനുമായി ജനങ്ങളെ പല പ്രലോഭനങ്ങൾക്കും വശംവദരാക്കി പണം ധാരാളം കടം കൊടുത്തു. സാധനങ്ങളുടെ വിലക്കുറവുനിമിത്തം ബാങ്കിലെല്ലാം പണം തിരിച്ചു കൊടുക്കുന്നതിനൊ പലിശ കൊടുത്തു തീർക്കുന്നതിനൊ കടക്കാരനു സാധിക്കാതെവന്നു. പലരും ഇങ്ങനെ ബാംകുകാർക്കു കടപ്പെട്ടിരിക്കുന്ന സ്ഥിതിക്കു ഈ ബാംകുകാരെ മാററി നിറുത്തേണ്ട ആവശ്യം ഞാൻ കാണുന്നില്ല. യോഗ്യതയായിട്ടു പെരുമാറിയിട്ടുള്ള ബാംകുകൾ ഉണ്ടെങ്കിൽ അവക്കെന്തെങ്കിലും ചെയ്തുകൊടുക്കുന്നതുകൊണ്ടു വിരോധമില്ല. ൧൦൭-ന ശേഷം ൧൦൧ വരെ ഉണ്ടായിട്ടുള്ള കടങ്ങൾ ഇൻസ്റ്റാൾമെൻറായി തീർക്കുന്നതുകൊണ്ടു യാതൊരു ദോഷവുമില്ല. ഈ കടങ്ങൾ ബാംകുകാർ അസ്സേററു ഇനത്തിൽ കൊള്ളിച്ചിരിക്കുന്ന തുകകളാണു. ഇതുകൊണ്ടു ബാംകുകളുടെ പ്രവൎത്തനത്തിനു യാതൊരു ഹാനിയും തട്ടിയിട്ടുമില്ല. ഇങ്ങനെയുള്ള കടങ്ങളെ ഇതിൽനിന്നും ഒഴിവാക്കുന്നതുശരിയല്ല.

കടക്കാൎക്കു എന്തെങ്കിലും ഒരു റിലീഫ് ചെയ്യണമെന്നു പൊതുവെ ധരിക്കത്തക്കനിലയിലായിരുന്നു ഗവണ്മെൻറിൻെറ ഇതുവരെയുള്ള പ്രവൃത്തി. എന്നാൽ നിർഭാഗ്യവശാൽ ഈ ബിൽ വെളിയിൽ വന്നതോടുകൂടി ഗവണ്മെൻറിനു അങ്ങിനെ ഒരു വിചാരമില്ലെന്നു പ്രത്യക്ഷത്തിൽ തോന്നിപ്പോകും. കടക്കാരനേയും കടം കൊടുത്തവനേയും യോജിപ്പിച്ചു കടം തീർക്കത്തക്ക ഒരു വ്യവസ്ഥയാണ് ൧൧൦-ലെ ആക്ടിൽ ഉൾപ്പെടുത്തിട്ടുള്ളതു്. അതു് കോടതികൾക്കും കടക്കാൎക്കും എന്തെങ്കിലും ഒരു റിലീഫ് നൽകണമെന്നുള്ള വിചാരത്തെ ഉളവാക്കിയിട്ടുണ്ട്. അതു മുഴുവൻ ഈ ബില്ലിൻെറ ആവിർഭാവത്തോടുകൂടി നശിച്ചുപോകുന്നു. ഈ ബില്ലിലെ വ്യവസ്ഥയനുസരിച്ചു കാലാവധിക്കകം പണം കൊടുത്തുതീർത്തില്ലെങ്കിൽ കടക്കാരൻെറ വസ്തു മുഴുവനും പോകുമെന്നുള്ളതാണ്. പലിശപോലും കുറയ്ക്കുന്നില്ല. ഇങ്ങനെയുള്ള ഒരു നിയമംകൊണ്ടു ഫലമില്ലെന്നു മാത്രമല്ല ഈ രാജ്യത്തെ സാധുക്കൾക്കു കോടതികളിൽനിന്നും ലഭിച്ചുകൊണ്ടിരിക്കുന്ന ആനുകൂല്യങ്ങൾകൂടി ഇല്ലാതാവുകയും ചെയ്യും.

ലീഗൽ റിമെംബ്രൻസർ ഈ ബില്ലിൽ വലിയ വ്യത്യാസങ്ങൾ വരുത്തുന്നപക്ഷം അതു നടപ്പിൽ വരികയില്ലായിരിക്കാം എന്നു പറ

ഞ്ഞു. റീസണബിളായ വ്യത്യാസങ്ങൾ മാത്രമെ ഈ അസംബ്ളി ചെയ്കയുള്ളു. അഥവാ ഈ ബിൽ നടപ്പിൽ വരുത്തിയില്ലെങ്കിൽത്തന്നേയും ഇന്നു കോടതി കാണിക്കുന്ന കരുണയ്ക്കു കുറവുവരികയില്ല. ഈ സംഗതിയിൽ ൧൧൨-ലെ ആക്ട് ധാരാളം മതിയാകുന്നതാണ്. ഒരു കൊല്ലംകൊണ്ടു പണം കൊടുത്താൽ ൩൦ ശതമാനം കുറച്ചുകൊടുക്കാമെന്നു പറയുന്നതു ഒരു എനേബ്ളിംഗ് പ്രൊവിഷനായിരിക്കണമെന്നല്ലാതെ അതു ജനറൽ പ്രിൻസിപ്പിൾ ആകരുതു്.

൧൧൨-ലെ ആക്ടുപ്രകാരം സെക്യൂവേർഡ് ഡെററിനു ൬-ം അൺസെക്യൂവേർഡ് ഡെററിനു ൯-ം ശതമാനം പലിശയാണു കൊടുക്കേണ്ടതു്. എന്നാൽ ഈ ബില്ലു പാസാകുമ്പോൾ ൧൧൨-ലെ ആക്ട് റിപ്പീൽ ചെയ്തുപോകും. മുതലിൽ ഇത്ര ശതമാനം പലിശകൂടി ചേർക്കാമെന്നു ഒരു വ്യവസ്ഥയും ഈ ബില്ലിൽ കാണുന്നില്ല.

MR. PUTHUPALLY S. KRISHNA PILLAI : മെമ്പറുടെ അഭിപ്രായത്തിൽ ൧൧൨-ലെ ആക്ടിൽ പലിശയെ സംബന്ധിച്ചു ചെയ്തിട്ടുള്ള വ്യവസ്ഥകൾ മേലിലും ഉണ്ടായിരിക്കണമെന്നു തോന്നുന്നുണ്ടോ?

MR. P. S. MUHAMED : ൧൧൨-നു മുൻപുള്ള കടങ്ങളുടെ പലിശയെപ്പററി ഒന്നുംതന്നെ ഈ ബില്ലിൽ പറയുന്നില്ല. ബില്ലിൽ മേലാൽ ഉള്ള കടങ്ങളുടെ പലിശയെപ്പററി മാത്രമെ പറയുന്നുള്ളു. ൧൧൨ മുതൽ ഈ സംസ്ഥാനത്തു പലവിധത്തിലുള്ള കൊടുക്കൽവാങ്ങൽ നടന്നിട്ടുണ്ടു്. അതൊക്കെ ൧൧൨ ആക്ടിൽ പറഞ്ഞിട്ടുള്ള തോതുവച്ചാണ് പലിശ കൂട്ടുന്നതു്.

(The house adjourned at 1 P. M. and re-assembled at 2. P. M with the Deputy President in the chair.)

MR. P. S. MUHAMED : ൧൧൧൨-നുശേഷമുള്ള ഈടുകടങ്ങൾക്ക് ആറുശതമാനവും ഈടില്ലാത്ത കടങ്ങൾക്ക് ഒൻപതുശതമാനവും ൧൧൧൨-നു മുൻപുള്ള കടങ്ങൾക്കു നാലരശതമാനവും പലിശ നിശ്ചയിച്ചു കടക്കാരെ രണ്ടായി തിരിച്ചു് ഈ പുതിയ ബില്ലിൽ വ്യവസ്ഥചെയ്താൽ അതു മിക്ക ക്രഡിറേറഴ്സിനും തൃപ്തികരമായിത്തീരുന്നതാണ്. ഏതായാലും ഒരുകൂട്ടരെ സഹായിക്കുന്ന അവസരത്തിൽ മറെറാരുകൂട്ടരെ കഷ്ടപ്പെടുത്താതിരിക്കേണ്ടതു് വളരെ അത്യാവശ്യമാണ്. ൧൧൧൨-ൽ രൂപീകരിച്ച ബില്ലിൽ കടക്കാരുടെ നേർക്കു കാണിച്ചിരുന്ന ഔദാര്യം ഈ ബില്ലിൽ ഇല്ലെന്നാണുകാണുന്നതു്. കടം കൊടുത്തുതീർക്കാൻ നിവൃത്തിയില്ലാത്ത ഒരാളുടെ സ്വത്തുക്കളെ അയാളുടെകടത്തിനുവേണ്ടി കോടതിയെ

[Mr. P. S. Muhamed.]

അധികാരപ്പെടുത്തിയ മററുവല്ലവരുമോ എടുക്കുമ്പോൾ അയാളുടെ ജീവിതാവശ്യത്തിനുവേണ്ടി ആ സ്വത്തിന്റെ നാലിലൊരുഭാഗമൊ അല്ലെങ്കിൽ അയ്യായിരം രൂപയൊ അയാൾക്ക് കൊടുക്കണമെന്നു നിശ്ചയിച്ചിരുന്ന മനുഷ്യസാധാരണമായ കാരുണ്യം ഈ ബില്ലിൽ കാണുന്നില്ല.

MR. PUTHUPALLY S. KRISHNA PILLAI : ഏതു വകുപ്പിലാണു അക്കാര്യം പറഞ്ഞിരിക്കുന്നതു്?

MR. P. S. MUHAMED : റിപ്പോർട്ടിൽ ഉണ്ടായിരുന്നു. ൧൧൧൨-ൽ രൂപീകരിച്ച ആക്ടിൽ അങ്ങിനെ ഒരു വ്യവസ്ഥ ഉണ്ടായിരുന്നു.

MR. PUTHUPALLY S. KRISHNA PILLAI : കൺസിലിയേഷൻ ആഫീസറന്മാർക്കു അങ്ങിനെ ചെയ്യുന്നതിനുള്ള ഒരധികാരം കൊടുത്തിരുന്നതിനെപ്പററിയാണൊ പറയുന്നതു്?

MR. P. S. MUHAMED : അതെ. കൺസിലിയേഷൻ ആഫീസറന്മാർക്കു അങ്ങിനെ ചെയ്യുന്നതിനു ഒരധികാരം കൊടുക്കണമെന്നുതോന്നിയഗവണ്മെൻറിന്റെ മനഃസ്ഥിതിക്കു മാററം വരത്തക്ക യാതൊരു സംഗതിയും ഇന്നു കടക്കാരുടെയിടയിൽ ഉണ്ടായിട്ടില്ല.

MR PUTHUPALLY S. KRISHNA PILLAI : ക്രഡിറേറഴ്സിന്റെ സമ്മതം കൂടാതെ അങ്ങിനെ ചെയ്വാൻ കൺസിലിയേഷൻ ആഫീസറന്മാർക്കു സാധിക്കുകയില്ലെന്നുള്ള വിവരം അറിയാമോ?

MR. P. S. MUHAMED : ക്രഡിറേറഴ്സിന്റെ സമ്മതമില്ലെങ്കിൽ തന്നെയും അങ്ങിനെ ചെയ്യേണ്ടതു അത്യാവശ്യമാണെന്നു ബോധ്യപ്പെടുന്ന ഒരു കൺസിലിയേഷൻ ആഫീസർക്കു ആ വിധത്തിൽ ഒരു സർട്ടിഫിക്കററു കൊടുക്കുന്നതിനു അധികാരമുണ്ടായിരുന്നു. അങ്ങിനെ കൊടുക്കുന്ന സർട്ടിഫിക്കററു് നിയമസാധുത്വം ഉള്ളതാകുന്നു. അതുകൊണ്ടു് ഒരിക്കൽ ഗവണ്മെൻറിൽനിന്നും ചെയ്തിരുന്ന ആനുകൂല്യം ഇപ്പോൾ കൊടുക്കുകയില്ലെന്നു പറയുന്നതു് ഒരിക്കലും ശരിയല്ല. കടത്തിനുവേണ്ടി തന്റെ സ്വത്തുക്കൾ മുഴുവനും കൊടുത്തിട്ടു തെരുവിൽ അലഞ്ഞു നടക്കുന്നതിനുള്ള സൗകര്യം വന്നുചേരാതിരിക്കണമെന്നാഗ്രഹിക്കുന്നതു മനുഷ്യസ്വാഭാവികമായിട്ടുള്ളതാണ്. കടം തീർക്കാൻ മനസ്സുണ്ടെങ്കിൽതന്നെയും പണമില്ലാത്ത ഒരു സംഗതിയാണ് പ്രധാന തടസ്സമായി നിൽക്കുന്നതു്. ഗവണ്മെൻറിൽനിന്നും പണം കൊടുത്തു സഹായിക്കാൻ സാധിക്കുകയില്ലെന്നും പറയുന്നു. അതുകൊണ്ടു് വസ്തുവിനു ന്യായമായ വില നിശ്ചയിച്ചു ആ തുകയ്ക്കു വസ്തു എടുക്കണമെന്നു വ്യവസ്ഥ ചെയ്യുന്നതു കൊണ്ടു് യാതൊരു ദോഷവും വരാനില്ല. അങ്ങിയെ വസ്തു എടുക്ക

മ്പോൾ നാലിലൊരുഭാഗം വസ്തു ഉടമസ്ഥന് കൊടുക്കണമെന്നു വ്യവസ്ഥ ചെയ്യണം. ഈ ബില്ലു സംബന്ധമായി ഗവണ്മെൻറിന് ആദ്യം തോന്നിയ മനഃസ്ഥിതിതന്നെ ഇപ്പോഴും തുടൎന്നുകൊണ്ടുപോകുന്നു എന്ന് പൊതുജനങ്ങളെ ബോദ്ധ്യപ്പെടുത്തേണ്ടതു് അത്യാവശ്യമാണ്. ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ട് എൻെറ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

MR. A. K. KUMARAN VAIDYAN (*Kunnatnad* cum *Parur*) സർ, തിരുവിതാംകൂറിലെ അൻപത്തൊന്നുലക്ഷം ജനങ്ങളും മൂന്നര വർഷക്കാലമായി ഋണനിവാരണബിൽ വരാൻപോകുന്നു എന്നു വിചാരിച്ച് അക്ഷമരായിരിക്കുമ്പോഴാണ് ഈ ബില്ലിൻെറ ആവിർഭാവം. എന്നാൽ മല എലിയെ പ്രസവിച്ചതുപോലെയാണ് എല്ലാവൎക്കും ഈ ബില്ലിനെപ്പററി അഭിപ്രായം തോന്നിയിട്ടുള്ളതു്. ഈ ബില്ലുകൊണ്ട് ഗവണ്മെൻെറാ പൊതുജനങ്ങളൊ ഉദ്ദേശിച്ചിട്ടുള്ള യാതൊരു നന്മയും കടക്കാൎക്കു ലഭിക്കുന്നതിനു നിവൃത്തിയില്ലാതെയാണിരിക്കുന്നതു്. ഈ ബില്ലിൻെറ നാലാമത്തെ വകുപ്പിൽ ഇന്നയിന്ന കടങ്ങൾ മാത്രമെ ഈ ബില്ലിൻെറ പരിധിയിൽ ഉൾപ്പെടുകയുള്ളു എന്നു പറഞ്ഞിട്ടുണ്ട്. അതനുസരിച്ചു നോക്കിയാൽ തിരുവിതാംകൂറിലെ അൻപത്തൊന്നുലക്ഷം ജനങ്ങളിൽ ഒരു ലക്ഷം പേൎക്കെങ്കിലും ഈ ബില്ലുകൊണ്ട് കാൎയ്യമായ എന്തെങ്കിലും ആനുകൂല്യം ലഭിക്കുമോ എന്നു സംശയിക്കേണ്ടതായിട്ടാണിരിക്കുന്നതു്. കടത്തിൻെറ എഴുപതുശതമാനം ഒരു വർഷത്തിനകം കൊടുക്കുകയാണെങ്കിൽ മുഴുവൻ കടവും തീൎന്നതായി ഗണിക്കപ്പെടുമെന്നു പറയുന്നു. എന്നാൽ അൻപതുശതമാനം പണം ഇന്നു രൊക്കം കൊടുക്കുകയാണെങ്കിൽ ഈ ബിൽ കൂടാതെതന്നെ ആ തുക വാങ്ങി ഇടപാടു തീൎക്കുന്നതിനു ഉത്തമർണ്ണന്മാർ സമ്മതിക്കുന്നതാണ്. ഇതു നോക്കുമ്പോൾ കടത്തിൽ മുഴുകി വിഷമിക്കുന്ന കടക്കാരുടെ സംഗതിയിൽ ഗവണ്മെൻറിൻെറ ദയാദൃഷ്ടി ശരിയായി പതിഞ്ഞിട്ടുണ്ടോ എന്നുള്ള കാൎയ്യം സംശയമാണ്. ഏതാനും ചില പണവ്യാപാരികളുടെ സ്വാത്ഥലാഭത്തിനുവേണ്ടി ഗവണ്മെൻറും അവൎക്കു വശംവദരായിത്തീൎന്നിട്ടില്ലേ എന്നു സംശയിക്കുവാൻ ചില ഉത്തമർണ്ണൻമാർ ദുഷപ്രവാദങ്ങൾ പറഞ്ഞുപരത്തുന്നതായി കേൾക്കുന്നുമുണ്ട്. ആലപ്പുഴയോ മററൊ ഉള്ള ഒരാൾ ഈ അസംബ്ളിയിൽ ഉത്തമർണ്ണരുടെ പ്രതിനിധി എന്ന നിലയിൽ ഇരിക്കുന്നതായി എനിക്കറിയാം. അദ്ദേഹത്തെ നാമിനേററു ചെയ്തതാണോ അതല്ല കോവാപ്‌റേറ ചെയ്തതാണോ എന്നും എനിക്കറിവില്ല. ഇങ്ങനെ ഉത്തമർണ്ണരുടെ താല്പൎയ്യങ്ങളെ രക്ഷിക്കുന്നതിനുവേണ്ടി പല പ്രവർത്തനങ്ങളും ഇവിടെ നടക്കുന്നതായി കാണുന്നുണ്ട്. സാധുക്കളും കർഷ

[Mr. A. K. Kumaran Vaidyan.]

കരമായ കടക്കാരുടെ രക്ഷക്കായി മഹാരാജാവു തിരുമനസ്സിലെ പ്രജകൾക്കെല്ലാവർക്കും ഒരുപോലെ ഗുണം ലഭിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടിയാണ് ഒരു ബില്ല് വേണമെന്നു അസംബ്ളിയിലേയും കൗൺസിലിലേയും മെംബർമാർ മൂന്നുവർഷമായി വാദിച്ചിട്ടുള്ളതു്.

എന്നാൽ ഈ ബില്ലിൽ അവർക്കു പറയത്തക്ക ഒരു ഗുണവും കാണുന്നില്ല. എഴുപതുശതമാനം കൊടുത്താൽ മതിയെന്നു വ്യവസ്ഥചെയ്തിരിക്കുന്നതു ചിലരെ തൃപ്തിപ്പെടുത്തുമായിരിക്കുമെങ്കിലും പണം ഉണ്ടെങ്കിൽ ആ വ്യവസ്ഥ നന്നായിരിക്കുമായിരുന്നു. അതിനു സാധിക്കാത്തതുകൊണ്ടാണു പലരും ഇപ്പോൾ അതൃപ്തിപ്പെട്ടുകൊണ്ടിരിക്കുന്നതു് എന്നുള്ള സംഗതി ഞാൻ ഗവൺമെൻറിനെ ഉൽബോധിപ്പിക്കുന്നതിനു നിർബന്ധിതനായിത്തീർന്നിരിക്കുന്നു. ഉത്തമർണ്ണനെ കാണുന്ന അധമർണ്ണൻ പാമ്പാട്ടിയെക്കണ്ട പാമ്പിനെപ്പോലെ തലയും കുമ്പിട്ടാണ് ജീവിതം കഴിച്ചുകൂട്ടുന്നതു്. അധമർണ്ണൻെറ ജീവരക്തത്തെക്കൂടി ഊററിക്കുടിച്ചുകൊണ്ടിരിക്കുന്ന ഏതാനും പണവ്യാപാരികളുടെ പ്രവൃത്തി വളരെ സാഹസമാണെന്നു പറയാതെ നിവൃത്തിയില്ല. അഞ്ഞൂറും, അറുനൂറും രൂപ കണ്ടിക്കു വിലയുണ്ടായിരുന്ന കുരുമുളക് മുതലായ സാധനങ്ങൾക്ക് വില കുറഞ്ഞു കുറഞ്ഞു് ൧൦൦ രൂപാ, ൮൦ രൂപാ, ൬൦ രൂപാ എന്ന നിലയിൽ ആയിത്തീർന്നിരിക്കുന്നു. മുൻപു വാങ്ങിയ കടത്തിൻെറ നാലിലൊരു ഭാഗം കൊടുത്താൽ മതി എന്നു വ്യവസ്ഥ ചെയ്താലും കടം തിരിയെ കൊടുത്തുതീർക്കാൻ സാധിക്കാത്ത നിലയിൽ, അതായതു അത്ര കഷ്ടമായ നിലയിലാണ് അധമർണ്ണൻ ഇന്നു സ്ഥിതിചെയ്യുന്നതു്.

അനുഭവഒററി എന്നു പറയുന്ന കടത്തിന് ഈ ബില്ലിൽ യാതൊരു ആനുകൂല്യവും ചെയ്യുകാണുന്നില്ല. വസ്തു ഒററി കൊടുത്തിട്ടു പാട്ടമായി കൈവശമിരിക്കുന്ന ഒരാൾ യാതൊരു പലിശയും കൊടുത്തിട്ടില്ലെങ്കിലും ഈ ബില്ലനുസരിച്ചു അയാൾക്കു ആനുകൂല്യം കിട്ടുമെന്നാണു ഇതിൽ പറയുന്നതു്. മര്യാദയായി പലിശ കൊടുക്കുന്നവനും ആനുകൂല്യം ചെയ്തുകൊടുക്കേണ്ടതു അത്യാവശ്യമാണ്. നൂറു രൂപയുടെ പലിശ നടക്കത്തക്ക ഒരു വസ്തു എഴുതികൊടുത്തു എന്നു വിചാരിക്കുക. സാമാനങ്ങളുടെ വിലക്കുറവുനിമിത്തം ആദായം കുറഞ്ഞ കാരണത്താലാണ് ആ പലിശ കുറയ്ക്കാൻ പാടില്ലെന്നു ബിൽ കർത്താക്കൾ ഉദ്ദേശിച്ചിട്ടുള്ളതു്. തിരുവിതാംകൂറിലെ സർവ്വസാധനങ്ങൾക്കും വില ഇടിഞ്ഞിരിക്കുന്ന ഈ അവസരത്തിൽ ഈ ബില്ലുകൂടി വരികയാണെങ്കിൽ ഉദ്ദേശിച്ച യാതൊരു ഫലവും ഉണ്ടാകുകയില്ല.

ബാങ്ക് മുതലായ സ്ഥാപനങ്ങളുമായുള്ള ഇടപാടുകളെ ഈ ബില്ലിന്റെ പരിധിയിൽനിന്നും ഒഴിവാക്കിയിരിക്കുന്നതു് വിചിത്രമായിരിക്കുന്നു. ഈ ബാങ്കുകൾ ചില ആളുകളുടെ പ്രത്യേക ഉപയോഗത്തിനുവേണ്ടി സ്ഥാപിക്കപ്പെടുകയും സ്വത്തുള്ളവക്കും ഇല്ലാത്തവക്കും ഒരുപോലെ ധാരാളം പണം കടം കൊടുക്കുകയും ചെയ്തതുകൊണ്ടാണ് ഇവിടെ ഇത്ര മാത്രം ക്ഷാമം ഉണ്ടായിട്ടുള്ളതു്. ൧൧൦൧-നു ശേഷം ബാങ്കുകൾ ആയിരക്കണക്കിനു വർദ്ധിച്ചിട്ടുണ്ടു്. നോട്ടുകളും മററും ധാരാളമായി എഴുതിവാങ്ങി പല കൃത്രിമങ്ങളും അവർ ചെയ്തുവച്ചിട്ടുണ്ടു്. ൧൧൧൨-ലെ നംപാസ്സാക്കീട്ടായ കാർഷികഋണവിമോചന ബില്ലിൽ, ഒരാളിന്റെ സ്വത്തുക്കൾ മുഴുവനും അയാളുടെ കടത്തിനുവേണ്ടി വിററുപോകുന്നുവെങ്കിൽ ആ വസ്തുവിന്റെ നാലിലൊരുഭാഗം ഉടമസ്ഥനു കൊടുക്കണമെന്നു വ്യവസ്ഥ ഉണ്ടായിരുന്നു. ഈ ബില്ലിൽ അതു കാണുന്നില്ല. ൧൧൧൪-നുശേഷം വിററുപോയ വസ്തുക്കളുടെ ലേലം സ്ഥിരപ്പെടുത്താതിരിക്കയാണെങ്കിൽ മാത്രം ആ ലേലം അസ്ഥിരപ്പെടുത്താവുന്നതാണെന്ന് ആണ് ഈ ബില്ലിൽ പറഞ്ഞിരിക്കുന്നതു്. എന്നാൽ സാമ്പത്തികാധഃപതനം തുടങ്ങിയ ൧൧൦൭ മുതൽ ലേലത്തിൽ പോയിട്ടുള്ള വസ്തുക്കളെ നൂററിനു നൂറുശതമാനം കൊടുത്താലെങ്കിലും, തിരിയെ കിട്ടുന്നതിനു വ്യവസ്ഥചെയ്യേണ്ടതു് അത്യാവശ്യമാണ്. ഗവണ്മെന്റിൽനിന്നും നാമിനേററുചെയ്തിട്ടുള്ള മി. കെ. വി. ജോസഫ് ഇതിനെപ്പററി എഴുതിയിട്ടുള്ള ഒരു ലേഖനം ഞാൻ കണ്ടു. അയ്യായിരം രൂപയുടെ കടത്തിനുവേണ്ടി രണ്ടു ലക്ഷം രൂപ വിലയുള്ള വസ്തു ലേലത്തിൽ വിററുപോയി എന്നു അദ്ദേഹം എഴുതിയിരിക്കുന്നു. രണ്ടുലക്ഷമെന്നുള്ളതു് ഒരു ലക്ഷമായി കുറച്ചാലും അത്രയും വിലയുള്ള വസ്തു അയ്യായിരം രൂപയുടെ കടത്തിനുവേണ്ടി വിററുപോകുന്നതു വളരെ സങ്കടംതന്നെയാണ്. തൊഴിലില്ലായ്മ വർദ്ധിച്ചുവരുന്ന സ്ഥിതിക്കു ഇവിടേനിന്നും വേറെ എവിടെയെങ്കിലും പോകേണ്ടിവരുമോ എന്നുതന്നെ സംശയിക്കേണ്ടിയിരിക്കുന്നു. ഗവണ്മെന്റു ഉദ്ദേശിക്കുന്ന നിലയ്ക്കു പൊതുജനങ്ങൾക്കു് എന്തെങ്കിലും ഗുണം ലഭിക്കണമെങ്കിൽ ഈ ബില്ലിൽ വേണ്ട ഭേദഗതി വരുത്തേണ്ടതു് അത്യാവശ്യമാണ്. ബഹുമാനപ്പെട്ട മെമ്പറന്മാർ അതിലേക്കു് ഒട്ടുവളരെ ഭേദഗതികൾ അയച്ചിട്ടുള്ളതുതന്നെ ഇതിന് ഒരു ഉദാഹരണമാണ്.

MR. T. C. KESAVA PILLAI: ബഹുമാനപ്പെട്ട മെമ്പർക്കു് ഏതെങ്കിലും ഭേദഗതി കിട്ടിയിട്ടുണ്ടോ?

MR. A. K. KUMARAN VAIDYAN കിട്ടിയിട്ടുണ്ട്.

[Mr. A, K. Kumaran Vaidyan-]

ഈ ബില്ലിനെ സംബന്ധിച്ചുള്ള എന്റെ അഭിപ്രായം കാലാവധി ആറു വർഷമെന്നുള്ളത് ൨൫ വർഷം ആക്കണമെന്നാണ്. ൨൫ വർഷം കാലാവധിയും ൫൪ തവണയും എന്നു വ്യവസ്ഥ ചെയ്താൽ ഏതാണ്ടൊരു രക്ഷ കിട്ടുമെന്നാണ് തോന്നുന്നത്. ഒരു വർഷത്തിനകത്ത് ൧൦ ശതമാനം തുക കെട്ടിവച്ചാൽ മുഴുവൻ കടവും തീർന്നതായി വിചാരിക്കപ്പെട്ടുമെന്നും അതിലേക്ക് ഈ ബില്ല് പാസ്സായി ആറു മാസത്തിനകം കുറെ ഭാഗം കെട്ടിവച്ചിരിക്കണമെന്നും വ്യവസ്ഥ ചെയ്തിരിക്കുന്നു. അതിൽ ആറുമാസത്തിനകം കെട്ടിവക്കണമെന്നുള്ളതു് ഒരു വർഷത്തിനകം എന്ന് ഭേദപ്പെടുത്തേണ്ടതാണ്. പലിശയും കുറവു ചെയ്യേണ്ടതാണ്. പലിശ ൨൦.൫ മുതൽ ൪ ശതമാനം എന്നു ഭേദപ്പെടുത്തേണ്ടതാണ്. ഈ ബില്ലിൽ ഇതേപടി സ്വീകരിക്കുന്നതായാൽ കടക്കാർക്ക് വളരെ വിഷമം സംഭവിക്കുന്നതാണ്. ഒരാളുടെ കടത്തിനുവേണ്ടി അയാളുടെ സ്വത്തുക്കളെ ജപ്തിയും ലേലവും ചെയ്യുന്നതിന് സൗകര്യം ഉള്ളതു കൂടാതെ അയാളെ സിവിൽ വാറണ്ടിൽ പിടിക്കുന്നതിന് ഉള്ള സൗകര്യവുംകൂടി കൊടുത്തിരിക്കുന്നതു് സ്വത്തുക്കളെ മുഴുവൻ അപഹരിച്ചെടുക്കാൻ സൗകര്യം കൊടുത്തതിനു തുല്യമായ പ്രവൃത്തിയാണ്. അധമർണ്ണനെ അറസ്റ്റിൽ ഉൾപ്പെടുത്താതിരിക്കാൻ യാതൊന്നുംതന്നെ ഈ ബില്ലിൽ കാണുന്നില്ല. അറസ്റ്റിൽ ഉൾപ്പെടുത്താതിരുന്നാൽ പുറമെപോയി വല്ല ജോലിയും ചെയ്തു കടത്തിന്റെ ഏതാനും ഭാഗമെങ്കിലും കൊടുത്തുതീർക്കാൻ അയാൾക്ക് സാധിക്കുമായിരുന്നു. അതുകൊണ്ടു ബഹുമാനപ്പെട്ട സാമാജികന്മാരും ഗവണ്മെന്റും ഈ കാര്യത്തിൽ വേണ്ട ശ്രദ്ധ പതിപ്പിക്കണമെന്നു അപേക്ഷിച്ചുകൊള്ളുന്നു.

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnatur*): Sir, the provisions of the proposed Bill are quite inadequate to meet the requirements of the people at the present time. The question is one which has been engaging the attention of the Government for the past few years. It was for this that the Agriculturists Debt Relief Committee was appointed. The Committee went into the whole question carefully, and submitted its report. The recommendations of that Committee were to a large extent beneficial to the debtors but when the Agriculturists' Debt Relief Act was passed, the relief was not of much use. The Debt Conciliation Boards established for the purpose did not function properly. Since these measures did not redeem the poor debtors to any appreciable extent it was necessary to provide for more beneficial measures. It was for this purpose that the Debt Relief Enquiry Committee was appointed. No one questions the competency of this committee. It was representative of all interests. The committee has gone into the question in minute detail and has made various

recommendations. The recommendations made by the committee are to a large extent beneficial to the debtors as well as to the creditors. The principal recommendations of the committee form the scaling down of interest by calculating it at a reduced rate and the fixing of a maximum for realisable interest. But in this Bill these two important recommendations of the committee have been completely ignored. In the absence of these provisions I think that the Bill will not be of any use to the debtors nor will it solve the present debt problem in the country. The time limit granted is also restricted in scope. On the whole this Bill cannot be said to be an improvement on the Agriculturists' Debt Relief Act of 1112.

Moreover this question has been minutely discussed in this House during the last session and the sense of the House was in favour of accepting the report of the majority of the committee in general. In spite of that, none of the useful provisions recommended by the committee are found in this Bill. I think that unless adequate relief is granted to the debtors there cannot be a solution to this problem. So my suggestion is that some useful provisions on the lines of the recommendations of the committee should be incorporated in the Bill and that the Bill should be properly amended. Otherwise this problem cannot at all be solved.

MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertallai*): Sir Government has sadly disappointed the debtors by introducing this Bill quite against their expectations. It reminds me of the story of the mountain labouring and bringing forth a mouse. Similarly, Sir, the Government taking the usual time of ten months has given birth to a child quite unwanted and quite against the expectations of the people in this State. My friend, the honourable Legal Remembrancer has been telling us that the provisions contained in this Bill are rather more advantageous to the debtors than the provisions contained in the recommendations of the Debt Relief Committee. Sir, I think the learned Legal Remembrancer has not said it with his hand on his heart because I can convince the House that the provisions contained in the Bill are not at all beneficial to the debtors.

DEPUTY PRESIDENT: Are you for rejecting the Bill?

MR. N. NARAYANA KURUP: I think it is better to reject this Bill.

DEPUTY PRESIDENT: Will you be advancing the cause of the debtors by rejecting this Bill?

MR. N. NARAYANA KURUP: Certainly, Sir; because even the creditors are at present willing to take half the amount in full satisfaction, but hereafter they also will stand on their right under this Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: Am I to take it that the honourable member is opposing the motion that the Bill be read in the Assembly?

DEPUTY PRESIDENT: That is his position as I understand it.

MR. N. NARAYANA KURUP: I want to make some changes in the Sections.

DEPUTY PRESIDENT: That is a different thing.

MR. N. NARAYANA KURUP: Certainly that is my opinion. This Bill is not agreeable or beneficial to the debtors and even the discretion vested in courts is taken away by the present Bill. That is why I said that this Bill is not advantageous to the debtors. It is a creditors' Relief Bill because their amount is secured by half-yearly instalments. The court is not given any power to use its discretion. That is why I said that it is better to have no Bill at all than to have a Bill of this sort.

As regards Section 3 the Bill says that all debts after 1112 are excluded. The Legal Remembrancer meant thereby that there was a general law affecting all the debtors in the State from 23-5-1112. At least it can be interpreted thus. But that Bill was particularly intended for a set of agriculturist debtors. But by this Bill all kinds of debtors are to be relieved from their debt burden. I should say then that debts up to the date of passing of this legislation also should be included in the ambit of this Bill so as to include those debtors who had not the benefit of Regulation III of 1112. In this respect my submission is that the present Bill is not more beneficial to the debtors than the recommendations of the committee.

As regards Clause 4, my submission is that the Government ought to set an example as a creditor. At the time of dire necessity Government with their surplus money, Sripandaravaka or Sri Padam money have been helping the people by giving loans. It is not intended that Sri Padmanabhaswami should realise interest. Therefore the interest should be reduced in regard to this class of debts and the debtors should be given long and easy instalments. Hence such class of debts should not be excluded.

As regards the vendors' lien which is excluded by the present Bill the Debt Relief Committee had a very hot discussion and after careful consideration the committee found that vendors lien also should be included in the ambit of the provisions of the Bill, because a property worth Rs. 1,000 in 1105 or before, that is, during the pre-depression period, does not fetch even half the price now, due to the steady steep fall in price of produce from 1105. So vendors lien also should be brought within the ambit of the provisions of the Bill.

As regards lease transactions also there was a hot discussion in the committee and the committee also excluded lease transactions. The present Bill also has excluded them and my submission is that these transactions also should be included as the lessees are the real agriculturists. The tillers of the soil are the lessees and not the absentee landlords who stay away in their homes. The lease amounts have been allowed to accumulate and have become a debt now. The question is how to lessen this debt burden. There are about 24000 debtors under this head with a debt of 29 lacks of rupees. The arrears might have been caused due to failure of crops or due to causes beyond the control of the lessees. Any way as the debts on these transaction have been very heavy, such debtors also should be relieved of their burden by

reducing the rate of interests and by giving long instalments. Otherwise, I am afraid that instead of legislating for the real agriculturists to relieve their debt burden, we are legislating for the creditors, to secure their debts.

My submission is that if the debt comes to Rs. 29 lakhs and the debtors are about 24,000 this is not a small amount or number to be ignored; Hence all lease debts also should be included in the ambit of relief measures.

The most important sections for the relief of the debtors are clauses (8) to (13) of the Debt Relief Bill. The bill was necessitated by a sudden constant fall in the price of produce from 1105 onwards. According to the present bill, if 80 per cent. of the debt is given within three years time, that debt stands discharged. My submission is that it is only an apparent benefit accruing to the debtors and not a real one. Suppose A has borrowed 1,000 rupees in 1102 during pre-depression time. That debt will come to Rs. 3,000 within a period of 14 years' time. 80 per cent. of that debt would mean Rs. 2,400. That amount is made up of Rs. 1,000 principal and Rs. 1,400 towards interest. For 14 years, this will work at the rate of 10 per cent. interest. In other words, during the depression period 10 per cent. interest is to be paid to the creditor. That is the long and short of it. But we found that price of produce has fallen considerably from 1105. For example, price of pepper has fallen from Rs. 500 to Rs. 90; of cocoanut from Rs. 70 to Rs. 17 and so on. The debtors or the creditors were not able to get more than one third of what they have been getting. Consequently they were not able to pay interest or a portion of their debts and that necessitated a legislation. Thus we see that the land owners were not able to realise even 2 or 3 per cent. interest on their investments. That has been the cry for so long. We are not in a position to pay more than 3 or 4 per cent. interest to our creditors. I have explained to this House that by paying 80 per cent. of the debts now we are compelled to pay more than 10 per cent. interest on the principal amount to the creditors. That is not the kind of relief needed to relieve the debtors. We want reduction of interest and easy payment in instalments. Without these advantages, no useful purpose is served by the relief provisions afforded in the bill. From the recommendations of the committee it could be observed how the depression has affected the debtors, how the price has fallen and why we have to trace back the debt before 1115 and reduce the interest thereto. Therefore, my submission is that the recommendations of the Debt Relief Committee are more advantageous to the debtors. It is not at all our intention to suggest that the creditors should forego their principal amount. We never suggest that any amount should be reduced from the principal sum and thereby the creditors should suffer. No debtor wants to reduce the principal. We are prepared to pay up the principal with 3 or 4 per cent. interest. Suppose according to the provisions of the bill, A has given a loan of Rs. 1,000 in Medom 1111. Up to 23rd Dhanu 1112, roughly for 10 months, at the rate of 12

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percent. interest, A will get about Rs. 1,000 plus Rs. 100 by way of interest. By the provision in the bill, it means that A's debtor has to pay either 70 per cent. or 80 per cent. of the amount according to the Clauses 9 or 10 in the Bill. 80 per cent. of the amount would work up to Rs. 880 and 70 per cent. would work up to something less than that *i. e.* Rs. 770. In that case, the innocent creditor who advanced during depression has to lose a portion of his capital. The debtor never wants such a treatment to be meted out to his creditor. All that he wants is to reduce the interest by 3 or 4 per cent. Therefore this provision affects both the debtors as well as creditors. My submission is, such a provision should be taken away from the ambit of the Bill and recommendations made by the Debt Relief Committee should be taken into consideration.

In regard to payment in instalments, my submission is this. None of the debtors have amassed any amount to pay up the creditors soon after the Act comes into force. That is the kind of presumption which this Act has brought about in this land. And, the Government is not in a position to advance money to the debtors. One of the wholesome principles accepted was that when a person proposes to discharge his whole debt, it should be from his present incomes without losing his property. That was debated for a length of time in this House and duly accepted. According to that, only about 5 or 6 per cent. of the debtors will be able to pay up their debts within the period such as 6 years, 3 years and one year prescribed in the Bill and the remaining 95 per cent. will not get the benefit of this Bill. Therefore, as the provisions of the Bill now stand, no practical relief is afforded to the debtors. In this connection, my submission is that at least 12 years and 24 instalments may be allowed to the debtors to pay up their debts, and all the provisions relating to scaling down, reduction of interest etc., as found in the recommendations of the Debt Relief Committee should be bodily adopted.

Clause (11) of the Debt Relief Bill has also to be amended. It is a known fact that there was a sudden and constant fall in the price of produce from 1105 onwards. That being so Government should see that not more than 4 per cent. interest is allowed on any debt from 1105 onwards. In calculating a payment of 80 per cent. or 70 per cent., as the case may be, interest at 3 or 4 per cent. alone shall be charged from 1105. That is, the debt on 1-1-1105 should be found and interest at 3 or 4 per cent. shall be calculated from 1-1-1105 and the debtor shall be allowed to pay 80 per cent. or 70 per cent. of the total so found to discharge his debt.

In regard to setting aside the sale, my submission is that all sales after the 23rd Dhanu 1112 should be set aside, if the purchaser is the decree-holder himself and the debtor shall be allowed to discharge the debt under Section 8 or 9. But even in such cases if the purchaser is a stranger, Section (13) should be applied. In a case where the purchaser is the decree-holder, such a sale should be set aside and he

should be given all protection under clauses (9) and (10) of the Bill. Therefore my submission is that such amendments should be added on to the existing provisions of the bill.

A word about usufructuary mortgages. This kind of mortgage is completely excluded from the operation of the bill. My submission is, if an usufructuary mortgage is the result of a series of transactions or the result of a decree on such renewed transaction after 1107 it should be brought under the operation of the Debt Relief Act. After the passing of Act III of 1112, almost all creditors in Central Travancore have been careful enough to take mortgages for decree amounts from several series of transactions. Therefore they have secured large interests by securing the property under usufructuary mortgages. Such debtors should also be protected by relieving their debt-burden.

Again, Sir, no debtor shall be made homeless so as to become a menace to the public. Therefore, if a debtor surrenders all his properties to the custody of the court, stating that he is unable to discharge his debts under any provisions in the bill and that he wants a fair settlement of his debts, he shall be given one-fourth or Rs. 5,000 worth of his property whichever is less free of encumbrances, giving of course, the homestead wherever possible.

Sir, the relief under section 10 of the bill depends on payment in a short time. The Government may not be able to finance debtors. To get a surplus from the yield, now-a-days, is out of question. To sell the property during this depression means, no adequate or reasonable and just price. Under such circumstances, the only course to help the debtors is to compel the creditor to take property or portion of the properties of the debtors, sufficient to cover the conciliated debts.

In conclusion, I wish to bring to the notice of the House, that the provisions contained in the recommendations of the Debt Relief Enquiry Committee are more beneficial, both to the debtors and the creditors than the provisions contained in this Bill, and that those provisions regarding scaling down, reduction of interests and instalments should be incorporated in this Bill.

MR. K. NARAYANAPERUMAL NADAR (*Tovala cum Agastisvaram*): Sir, in this Bill there are certain forms of relief which become conspicuous by their absence. Suppose there is a debtor who is prepared to place all his properties at the disposal of the court towards the payment of his debts and it is found that they are insufficient to discharge the debt, a portion of his property should be set apart for the maintenance of the debtor, free of liabilities. My question is, is not such a debtor entitled to some concession in the share of his property? If you study carefully legislations obtaining in various parts of British India, you will notice that he is entitled to a share in his property. This aspect of the question was discussed threadbare on page 120 of the Report. Moreover, what is stated in para 120 of the Debt Relief Committee Report is embodied in Clause 28 of the draft bill appended with it. The provision reads:-

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"The court shall then settle the liabilities of the debtor in the manner mentioned hereunder, namely :--

(a) one-fourth of the entire assets not exceeding Rs. 5,000 in value shall be allotted to and given over to the debtor free of all encumbrances."

Therefore a clause corresponding to Section 28 of the draft bill is not found in the present Debt Relief Bill sponsored by the Legal Remembrancer. There is also a proviso under that section in the draft bill which reads :

"Provided further that in such allotment the homestead in which the debtor lives shall wherever possible be allotted to his share."

The principle involved is for providing a homestead to the debtor who has placed all his properties at the disposal of the court towards the discharge of his debt. If you carefully look into the legislation obtaining in south-eastern Europe, for about 20 years, a homestead legislation has been passed. Mr. Sivaswami has carefully studied this aspect of legislation adopted in British India. This is what he says on page 116 of his book.

"Homestead Legislation has been obtained in South-Eastern Europe. In Germany the Federal Homestead Act of the 10th May 1920 exempts farmers limited to area that can be worked and managed entirely by a single family from seizure for debts."

What the proviso referred to, demands is a modest one. It demands that the homestead in which the debtor lives, should be allotted to his share.

That should be provided in this Bill. According to Insolvency Proceedings, a debtor is not entitled to get any pie at all under certain circumstances. He has practically to go empty. In a case like this, if a debtor can get something after the division of his property to his various creditors for his own maintenance, that will be a great relief to him. The principle of this Section has not been carefully considered at all by the father of this Bill. That aspect needs looking into.

When the Debt Relief Committee Report came up for discussion in this House, I remember to have said then that a judgment-debtor should not be imprisoned under a civil warrant. Though I advocated for stopping the civil warrant permanently, that idea has not been considered at all by Government. I do not want to repeat the arguments advanced by me once in this connection. All that I now wish to say is, though a civil warrant cannot be stopped permanently, it may be given effect to for a period of six months at least. If that is not done, how can a debtor enjoy the benefits of Clauses 8 to 10. Therefore, at least for a period of six months, the execution of civil warrants may be stopped. A new clause to that effect may be added after Clause 11 in the Bill. The Clause may read thus :

"In the case of debts to which the Act applies no court shall allow applications for execution proceedings, except those for the attachment of immovable property for 6 months from the date of the commencement of this Act."

The Legal Remembrancer says that the main relief provisions are contained in clauses 8, 9 and 10. I find that they are not at all adequate to relieve the debtor classes. When the second reading of the Bill comes up I shall deal with them in detail.

Clause 11 deals with the rate of future interest. It must be made applicable to transactions dating from the 23rd Dhanu 1112. Then there should also be Money Lenders' Act in Travancore. The Royal Commission on Agriculture have recommended for the enactment of such a law.

The Royal Commission recommended for the enactment of a Money-lenders' Act on the lines of the English Money-lenders' Act. We find that in British Indian Provinces the Money-lenders' Act has been recently passed. There is the Bengal Money-lenders' Bill, the Assam Money-lenders' Bill and various other provinces Money-lenders' Act is passed. If such an Act is passed, many evils can be avoided because that Act enforces registration of money lends, issuing of receipts and so forth. Therefore, unless and until the Money-lenders' Act is passed there is no great use of this Bill. We have the Act of 1040. But it was passed several years ago and the Bill cannot cope with the modern conduct adopted by rural debtors. The agricultural debtor is in need of money. He does not approach either the Credit Bank or the Co-operative Bank. He approaches only the rural money-lender because for borrowing, the proximity of the debtor and the creditor is necessary. Therefore he approaches the rural money-lender, and he is a Shylock in Travancore, and so the agricultural debtor suffers very much. Therefore the passing of the Money-lenders' Act is absolutely necessary and that must be preceded by this Bill.

MR. D. FRANCIS (*Kalkulam* cum *Vilavankod*) : Sir, கடந்த 15 வருஷங்களாக மழைக்குறைவினால் விருக்ஷங்களுக்கு நோய் உண்டாகி, பட்டுப் போனபடியாலும், இதனால் கிருஷி சாமான்களுக்கும், கைத்தொழில் சாமான்களுக்கும் விலை குறைந்து போய்விட்டபடியாலும், கடன் வாங்கினவர்கள் கடன் கொடுத்தவர்களுக்குத் திரும்பக் கொடுக்கமுடியாமல் பலிசையும் முதலுமாக மாற்றி மாற்றி எழுதிக்கொடுத்து பெருந்தொகையாகிவிட்டது. அதனால் அதற்கு ஒரு முடிவு வருத்துவதற்காக இந்த பில் தயாராக்கப்பட்டிருக்கிறது. கடன்வாங்கினவர்கள் தாங்கள் வாங்கின பணத்தைக் கொடுக்கமுடியாமல் கஷ்டப்படுகிறார்கள். அதனால் அவர்களுக்காக இந்த பில் நடப்புக்கு வருத்த படுகிறது என்று சிலருடைய அபிப்பிராயம். அது சுத்தத் தப்பு. இந்த பில் முகாந்திரம் கடன் வாங்கினவர்களுக்கு எப்படி நன்மை உண்டாகிறதோ அதுபோல் கடன் கொடுத்தவர்களுக்கும் நன்மை உண்டாகிறது. இந்தச் சட்டம் ஏற்படாவிட்டாலோ இந்தக் கொடுக்கல் வாங்கல் தீர்த்துக்கொள்ள வேசெய்யாது. அப்படியானால் பணம் கொடுத்தவர்களுக்கு என்ன பிரயோஜனம்? மாத்திரமல்ல இருகக்ஷியும் பெருங்கஷ்டத்தை அடைவார்கள். கடன் கொடுத்து தீர்க்கவேண்டிய காலாவதி 12 வருஷங்களுக்குக் குறையாமலிருக்கவேண்டும். நான் பிரதிநிதியாகயிருக்கிற நியோஜக மண்டலத்

[Mr. D. Francis.]

திலுள்ள ஜனங்கள் இதைத்தான் பெரிய காரியமாக கேட்கிறார்கள், 1100 யாண்டுக்கு மேல் வாங்கின கடன் முழுதும் ஈடுகொடுத்து வாங்கினதானாலும் சரி, பிராமிஸரி நோட்டின்படி வாங்கினதானாலும் சரி, 100-க்கு 3 வட்டி கொடுத்தால் போதுமானது. நெல் சடயத்துக்கும், சிட்டிப்பணத்துக்கும் 6 வட்டி கொடுக்கவேண்டும்.

மற்றச்சங்கதிகள் எல்லாம் சப் கம்மிற்றியின் அபிப்பிராயம்போல் செய்கிறது சரியாயிருக்கும். இந்த அபிப்பிராயங்களோடு என்னுடைய சிற்றுரையை முடித்துக்கொள்கிறேன்.

MR. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*): The Bill before the House has its good as well as its bad points. When I say that the Bill has its good points, I must not be understood to say that I support the tall claims urged in favour of the Bill by the Legal Remembrancer in his speech yesterday introducing the Bill.

Its good features are that it has done away with a clumsy machinery of doubtful value and has resorted to the ordinary civil courts of the land for its operation. Secondly, it has enlarged the scope of the Bill by including all classes of people and doing away with the distinction of agriculturists and non-agriculturists. Thirdly it has taken away the discretion vested in civil courts in the matter of allowing time for paying up the debts in instalments and has allowed a uniform period of time for all classes of people coming within its operation. Lastly, it has reduced the rate of interest at least for the future.

From the standpoint of the debtors these good points fade into insignificance and are far outweighed by the bad points. This legislation has been attempted, as the Statement of Objects and Reasons say, and also as the various pronouncements made by Government on several occasions, indicate because the existing Act is a failure and also because more effective provisions are necessary to meet the heavy indebtedness of the people of the country. Such being the case, it is very unfortunate that certain advantages enjoyed by the debtors by the present Act are taken away by the proposed Bill. Firstly, there was the possibility of getting 12 years' time and 24 instalments for paying the debts. That has been reduced to 6 years and 12 instalments. Secondly the existing Act reduces the rate of interest to 6 per cent. from the beginning of 1112. The present Bill before the House seeks to repeal the existing Act without any reservation whatsoever. That means that the creditor can charge the contracted or the customary rate of 12 per cent. from the beginning of 1112. I think that it is not a result contemplated by the Legal Remembrancer. I take it that it is due to an inadvertant omission. It is admitted on all hands that there has been and that there exists even now economic depression of an acute character and that the generality of the people are groaning under a heavy burden of debt. The only question in controversy is as to what is the dividing line. When did the present economic depression set in? The Agricultural Debt Redemption Committee reported that the economic depression commenced at the beginning of 1105. The Debt Relief Enquiry Committee reported that it commenced from the beginning of 1107. Whatever be the date of the dividing line, it has to

be asked what provision is there, what substantial relief has been granted by the provisions of the Bill, for reducing the heavy burden of the debtors. Now it would be seen that even if it be taken that the economic depression set in in 1105 or 1107, the price of agricultural commodities has fallen to the extent of 60 per cent. and consequently the money value has risen. Under the circumstances, to ask that the whole amount of money should be paid with interest without any reduction is a very great demand. My submission is that the rate of interest should be reduced to a reasonable level from the date of the economic depression whether it set in in 1105 or 1107.

In this connection I will invite the attention of the House to the dissenting note attached to the Debt Relief Enquiry Committee report by the representatives of the creditors. Now it will be agreed on all hands that the signatories to the dessenting note are stout and staunch champions of the creditors. They say that it can be taken that the economic depression set in at the beginning of 1107 and that in the case of unsecured debts the rate of interest may be reducedts 6per cent. and in the case of paddy the rate of interest may be reduced to 10 per cent. and if at all it is decided that the decree has to be reopened, it must be from 1107. It is very surprising that the Government has not thought it fit to go to the lengths that the creditors themselves were prepared to go. According to the Debt Relief Enquiry Committee, the period of time for repayment of debts for the pre-depression period, that is before 1107, is 8 years and for the post-depression period 10 years and the rate of interest for the pre-depression debts is 4½ per cent. and for the post-depression debts 4½ per cent. and 6 per cent. for the secured and unsecured debts respectively. I think these are very reasonable suggestions and that they must be accepted to give at least some relief to the debtors.

MR. THARIATHU KUNJITHOMMEN (*Muvattupuzha* cum *Devicolam*): സർ, ഋണഭാരത്താൽ കഷ്ടപ്പെടുന്ന ജനസമുദായത്തിന്റെ രക്ഷക്കായി ഗവണ്മെന്റിൽനിന്നും കൊണ്ടുവന്നിട്ടുള്ള ഈബിൽ ഗാഢമായ ആലോചനയോടുകൂടി ശരിയായ പ്രതിവിധികൾ നിർദ്ദേശിച്ചിട്ടുള്ളതാണെന്നു സമ്മതിക്കാതെ നിവർത്തിയില്ല. എന്നാൽ ശരിയായ ഔഷധമായാലും തക്കതായ അളവിൽ രോഗത്തിന്റെ സ്ഥിതിയനുസരിച്ച് നിശ്ചിതകാലത്തേയ്ക്കു സേവിച്ചില്ലെങ്കിൽ അതുകൊണ്ട് യാതൊരു പ്രയോജനവും സിദ്ധിക്കുകയില്ല. അതുപോലെ ഇവിടെ ഉദ്ദേശിച്ചിട്ടുള്ള ഔഷധം വേണ്ട അളവിൽ വേണ്ട വിധത്തിൽ പ്രയോഗിച്ചിട്ടില്ല. സംഖ്യ വെട്ടിക്കുറക്കാതെയും തവണ നീട്ടിക്കൊടുക്കാതെയും ഇവിടത്തെ ഋണഭാരം തീരുകയില്ലെന്നു ഈ സഭയിൽ തുടർച്ചയായി വാദിക്കുകയും അതിനെപ്പറ്റി ഗാഢമായി ആലോചിച്ച് ആ സംഗതി ശരിയാണെന്ന് വ്യക്തമായി സമ്മതിക്കയും ചെയ്തതിന്റെ ശേഷവുമാണ് ഇങ്ങനെ ഒരു ബിൽ കൊണ്ടുവന്നിട്ടുള്ളത്. ഏതു തോതുവച്ചു സംഖ്യ കുറയ്ക്കാം; പലിശ കുറയ്ക്കാം.

[Mr. Thariathu Kunjithommen]

കാലാവധി നീട്ടാം എന്നൊക്കെ ചിന്തിക്കേണ്ടതാണ്. ൧൦൫-ന് ശേഷമാണ് വിഷമങ്ങൾ നേരിട്ടത്. ഉൽപന്നങ്ങൾക്കു വിലയുണ്ടായിരുന്ന കാലത്തു് ജനങ്ങൾക്കു സുഭിക്ഷമായിരുന്നു. ഉൽപ്പന്നങ്ങളുടെ വില കുറഞ്ഞതു മുതൽക്കാണ് വലിയ ക്ഷാമം ഉണ്ടായതു്. ഒരാൾ ൨൦൦൦ രൂപ പലിശയ്ക്കു കൊടുത്തു, മറെറാരാൾ ൨൦൦൦ രൂപയ്ക്കു സ്ഥാവരവസ്തു വാങ്ങിച്ചു. ഈ രണ്ടു കൂട്ടരുടേയും സ്ഥിതി ഒന്നു താരതമ്യപ്പെടുത്തി നോക്കിയാൽ സംഖ്യ കുറയ്ക്കുന്നതിന്റെ ന്യായം വ്യക്തമാകും. ൨൦൦൦ രൂപ ഭൂമിയിൽ നിക്ഷേപിച്ച ആളിന് ആ ഭൂമി വിററാൽ ൧൦൦൦ രൂപായെ കിട്ടുകയൊള്ളു. അയാൾക്കു ഭൂമിയിൽ നു പലിശ കിട്ടിക്കൊണ്ടിരുന്നതു ഇപ്പോൾ രണ്ടായി കുറഞ്ഞിട്ടുണ്ടു്. എന്നാൽ പണം പലിശയ്ക്കു കൊടുത്തയാളിനു അതു പന്ത്രണ്ടായിട്ടു കൊടുക്കണമെന്നു പറയുന്നതു എത്ര അന്യായമാണ്. ആറായിട്ടെങ്കിലും കൊടുക്കാൻ അനുവദിക്കേണ്ടതല്ലേ. ൧൦൫-ന് ശേഷമുള്ള പലിശ നു ആയി കുറയ്ക്കേണ്ടതാണ്. അതുപോലെതന്നെ ഭൂമിയിൽ നിക്ഷേപിച്ച ൨൦൦൦ രൂപയ്ക്കു ൧൦൦൦ രൂപയെ കിട്ടുന്നുള്ളുവെങ്കിൽ ൨൦൦൦ രൂപ കടംകൊടുത്തവനു ൧൫൦൦ രൂപ കൊടുക്കാമെന്നു പറഞ്ഞാൽ അതു വാങ്ങിക്കുന്നതുകൊണ്ടു എന്താണു തരക്കേട്?

ഇപ്പോൾ ഒരു ക്ലിപ്തകാലംവരെ സംഖ്യ കുറയ്ക്കാമെന്നും പറയുന്നുണ്ടു്. അതുകഴിഞ്ഞാൽ പിന്നെ ഒരു കുറവുമില്ല. ക്ലിപ്തകാലാവധിക്കകം കടം കൊടുത്തുതീക്കാൻ സാധിക്കുന്നവർ തീരെ ഇല്ലെന്നുതന്നെ പറയാം. ഈ ബില്ലിലെ ഈ വകുപ്പുകൊണ്ടു പ്രായോഗികമായ യാതൊരു രക്ഷയും ജനങ്ങൾക്കില്ല. കുട്ടികൾക്കും വലിയ ആളുകൾക്കുംകൂടി ഒരു ഉയർന്ന മേശപ്പുറത്തു ആഹാരം വച്ചുകൊടുത്താൽ, കുട്ടികൾ അതു് എടുക്കുന്നതിനു വളരെ വിഷമിക്കും. അവക്കു താഴെത്തന്നെ വച്ചുകൊടുക്കണം. അതുപോലെ ഈ വകുപ്പ് ജനങ്ങൾക്കു പ്രയോജനമാക്കിക്കൊടുക്കണം. നാട്ടിൻപുറങ്ങളിൽ ഭൂരിപക്ഷവും കടക്കാരാണ്. അവർക്കു ഒരു പ്രയോജനവുമില്ലാത്ത ഒരു വകുപ്പാണ് ഇതു്. അതുകൊണ്ടു കാലാവധി ൧൨ വർഷംതന്നെ എന്നു വ്യവസ്ഥചെയ്യണം. ൧൨ കൊല്ലമായി ഉൽപ്പന്നങ്ങൾക്കു വിലയില്ല. ദീർഘകാലമായി തുടർന്നുകൊണ്ടിരിക്കുന്ന ഒരു രോഗത്തിനു ദീർഘകാലത്തേക്കുതന്നെ ഔഷധം പ്രയോഗിക്കണം. ൧൨ കൊല്ലംകൊണ്ടു കൊടുത്തുതീർക്കുന്നവക്ക് സംഖ്യയിലും കുറവുചെയ്തു കൊടുക്കണം. മുതൽ എത്ര കുറച്ചാലും പണം കൊടുക്കാതെ കഴിക്കുന്നവരുണ്ടാകാം. മൂന്നു കൊല്ലത്തിനകം കൊടുത്തുതീക്കുന്നവക്കു മൂന്നിലൊ

ന്നു ഇളവു ചെയ്കയും ബാക്കിയുള്ളവർ ൭൦ ശതമാനം കൊടുത്താൽ മതിയെന്നു വ്യവസ്ഥ ചെയ്കയും ചെയ്താൽ വലിയതരക്കേടില്ല. ഇപ്പോൾ ൧൦൦ രൂപയുടെ സ്ഥാനം ൫൦ രൂപയുണ്ടു്. അതുകൊണ്ടു് ൫൦ കൊടുത്താൽ മതി. ഇവിടെ ൭൦ കൊടുക്കാമെന്നു പറയുമ്പോൾ ൨൦ കൂടുതലാണു്. ഉൽപ്പന്നങ്ങൾക്കു വില കുറഞ്ഞു എന്നു പറഞ്ഞാൽ പണത്തിന്റെ വിലകൂടി എന്നാണർത്ഥം. രാജ്യത്തെ സാധനങ്ങളാണു് പണം. പണത്തിനുള്ള വില വ്യത്യാസത്തെ ഗണിച്ചുവേണം സംഖ്യ കുറയ്ക്കാൻ. സംഖ്യ കൊടുക്കേണ്ട എന്നുപറയാൻ കൊടുത്തയാൾക്കല്ലാതെ മററാർക്കും അധികാരമില്ല. ൧൦൦-നു ൭൦ ഇപ്പോൾ കൊടുക്കുകയാണെങ്കിൽ ഇന്നത്തെ പണത്തിന്റെ വിലയ്ക്കു ൧൨൦ ആകുന്നുണ്ടു്. അതു നഷ്ടമല്ലല്ലോ.

പലിശയുടെ കാര്യത്തിലും ഈ പറഞ്ഞ തോതിനുതന്നെ കുറയ്ക്കണം. തൊഴിലാദായത്തെ അടിസ്ഥാനമാക്കിയാണു് മുൻപു ൧൨ പലിശ എന്നു നിശ്ചയിച്ചിരുന്നതു്. തൊഴിലാദായം ഇപ്പോൾ മൂന്നിലൊന്നായി കുറഞ്ഞിട്ടുണ്ടു്. തൊഴിലാദായത്തിൽ മൂലധനക്കാരനു ഒരോഹരിയും തൊഴിലാളിക്കു ഒരു ഓഹരിയും കൊടുക്കണം. ൩൬ തൊഴിലാദായമുണ്ടെങ്കിൽ, തൊഴിൽകാരനു ൨൪-ം മൂലധനക്കാരനു ൧൨-ം കൊടുക്കുകയാണു വേണ്ടതു്. ൧൨ പലിശ വ്യവസ്ഥ ചെയ്തതു് തൊഴിലാദായത്തെ ഗണിച്ചാണു്. ആ തോതനുസരിച്ചു് ഇന്നും പലിശ കുറയ്ക്കണം. ൧൧൨ വരെയുള്ള കടങ്ങൾക്കു പലിശ ആറായിട്ടും അതിനുശേഷമുള്ളവയ്ക്കു നാലായിട്ടും കുറച്ചുകൊടുത്താൽ അതു ഒരു വലിയ അനീതിയല്ല. ഇത്തരത്തിലുള്ള ഒരു വ്യവസ്ഥ ചെയ്തില്ലെങ്കിൽ കടം ഒരിക്കലും കൊടുത്തുതീർക്കാൻ സാധിക്കുകയില്ല. ഇന്നത്തെ മാതിരിയിലുള്ള വാദങ്ങളും എതിർവാദങ്ങളും നിയമസഭയിൽ ഉണ്ടായിക്കൊണ്ടുതന്നെയിരിക്കും.

നമ്മുടെ രാജ്യത്തു വലിയ കഷ്ടതകൾ ഇപ്പോൾ ഉണ്ടു്. പൊതുജനപ്രതിനിധികളുടേയും ഉദ്യോഗസ്ഥവൃന്ദങ്ങളുടേയും ഇടയിൽ സുഭിക്ഷമായി കഴിക്കുന്നു എന്നു ബാഹ്യദൃഷ്ടിയിൽ തോന്നുന്ന ചിലർ കാണുമായിരിക്കാം. എന്നാൽ ഉൾനാടുകളിൽ കടന്നാൽ ജനങ്ങൾ കേവലം കഷ്ടതയിൽ കഴിഞ്ഞുകൂടുന്നതായി കാണാൻ സാധിക്കും. കർഷകരുടെ സ്ഥിതി ഏററവും പരിതാപകരമാണു്. നമ്മുടെ രാജ്യം ഇൻഡ്യയുടെ ആരാമമാണെന്നാണു് പറയുന്നതു്. മനോഹരങ്ങളായ വൃക്ഷലതാദികൾ മഴയില്ലാതെ സൂര്യന്റെ ഊഷ്മാവേററു ഉണങ്ങിക്കിടക്കുന്നു. നമ്മുടെ രാജ്യത്തി

[Mr. Thariathu Kunjithommen.]

ന്റെ സ്ഥിതി ഏററവും കഷ്ടതയിലായിട്ടുണ്ട്. കർഷകവൃന്ദമാകുന്ന ആരാമത്തിനു ഈ ബിൽമുഖേണ വർഷിക്കുന്ന ജലം മതിയാകാതെയാണിരിക്കുന്നത്. വേണ്ടവിധത്തിൽ നനച്ചാൽമാത്രമെ തോട്ടം തഴച്ചു വളരുകയുള്ളു.

പണത്തിന്റെ വില വ്യത്യാസം ഗണ്യമായി നോക്കണം. പത്തുരൂപാത്തൂക്കം ഏഴര മാററുള്ള സ്വർണ്ണം വാങ്ങിച്ചിട്ടു പത്തുമാററുള്ള സ്വർണ്ണം ആണ് തിരികെ കൊടുക്കുന്നതെങ്കിൽ അത് പത്തുരൂപാത്തൂക്കംതന്നെ കൊടുക്കേണ്ടിവരികയില്ലല്ലൊ. അതുപോലെ പണത്തിനു വിലയില്ലായിരുന്നകാലത്ത് വാങ്ങിച്ച കടമാണ് ഇപ്പോൾ കൊടുക്കേണ്ടതായിട്ടുള്ളത്. ഇന്ന് പണത്തിനു വില വളരെ വർദ്ധിച്ചിട്ടുള്ളതുകൊണ്ടു മുതലിലും പലിശയിലും സംഖ്യ കുറയ്ക്കുന്നതുകൊണ്ട് യാതൊരു നഷ്ടവും വരാനില്ല. അതുകൊണ്ട് അങ്ങിനെ വ്യവസ്ഥ ചെയ്യുകയും ൧൫ കൊല്ലം കാലാവധി നല്കുകയും ചെയ്യണം. ഈ വിഷയത്തിൽ ഗവൺമെന്റിന്റെ സദുദ്ദേശവും ജനങ്ങളുടെ പ്രതീക്ഷയും സഫലമാകത്തക്കവണ്ണം താമസംവിനാ ഒരു നിയമം പാസാക്കണമെന്ന് അഭ്യർത്ഥിച്ചുകൊണ്ടു വിരമിച്ചുകൊള്ളുന്നു.

MR. G. VELU PILLAI (*Karunagapalli* cum *Kartikapalli*): It is beyond doubt that this debt relief Bill is the out come of the severe economic depression. It was because Government realised the necessity for giving some relief to the already overburdened debtors that they appointed a Committee to go into the question of debt relief. The Committee presided over by one of the ex-Dewans of the State, and composed as it was by representatives from both the Houses of Legislature and other able men, submitted its report after being in session for 34 days. After that there was a joint sitting of both the Houses and the report was discussed thoroughly and elaborately. The general sense of the House was that the draft bill annexed to the Report itself was found wanting. Government now have not only not accepted that report but they have gone far behind it.

The most important thing with regard to the debter is the payment of interest. Section 11 of the present Bill provides for the payment of the future interest. But what about the past interest? For this no provision is made in the existing bill. I am not unaware of the fact that Section 9 and 10 apply to past interests as well. But I ask, is there at least one per cent. of the debtors who can pay up their debts in one or two or three years. I am sure that 99 per cent. of the debtors will have to resort to 12 or 18 years for the payment of their debts. Therefore my suggestion which I hope will be acceptable to both the creditors and the debtors is that the 4 per cent. rate of interest should be made applicable to all debts from the date of the debt. It should not be confined to future debts alone.

Then with regard to the operation of the Bill. This Bill is now intended to affect only the debts incurred before the 22nd Dhanu 1112. It is true that the Agriculturists Relief Regulation came into operation on that date. It is also true that those people who entered into debts after that date did so with open eyes. But the economic situation has not improved at all since that date. Those who entered into debts with closed eyes before the passing of that Act and those who entered with open eyes after the passing of Act are sailing in the same boat. My submission is that the operation of the Act should not be confined to those debts contracted before the 22nd Dhanu 1112. It must cover all debts up to the date of passing of the present Act.

Then with regard to the instalments my suggestion is that the provision for 6 years and 12 instalments is too inadequate. The Act of 1112 provides for 12 years and 24 instalments. It is because that Act was found inadequate that we went in for another piece of legislation and I do not see any reason why we should go behind that Act in the matter of affording relief measures.

Then, in Section 4, debts *due to* Government alone are excluded from the operation of the Act. That means debts due *from* Government are included within the operation of the Act. If this is so, it will lead to strange conclusions. If the deposits in the Anchal Savings Bank and such other items can be considered as debts due from Government and if Government take into their head to pay these debts in an year, I think the depositors will get only 70 per cent. instead of the full amount they have deposited.

Besides this there are other similar innocent omissions and inconsistencies in this Bill. In short I think that this Bill requires very adequate provisions to be added on to it if it is to be really advantageous to the debtor at all.

MR. M. L. JANARDANA PILLAI (*Nominated*): Sir, I have very great plersure in welcoming the Bill that has been introduced by the learned legal Remembrancer. I have my sympathies with the agriculturists who are heavily burdened with the debt. But as a practical proposition it has often occurred to me—and that is the experience of other persons—that the longer you give the term for repayment, the greater is the inclination to postpone not only the payment but also the methods of payments. By that long process it defeats its very purpose. It has been pointed out in this House that the economic depression has been the prime cause that is responsible for the heavy debt of the agriculturists of Travancore. But I think it is a moot question. It had been expressed by leading economists not only in Travancore but also outside that the agriculturist's debts had been with him for a pretty long time. Therefore, I fail to see how the economic depression of a particular period is alone responsible for the heavy debt of the agriculturists. According to the opinions expressed by men who have had a thorough study of the subject, the Indian agriculturist—I do not mean Travancore

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agriculturists alone—has been heavily steeped in debt, for several years. So, there is not much point in merely saying that all the trouble has been brought about at the particular period of the economic depression. If so, a legitimate question arises, *viz.*, when the agricultural produce were fetching high prices, what has the agriculturist done with the surplus realised? Where has the surplus gone to? How is it that he has not been able to wipe off his debt with the surplus amount then realised? Is it economically sound to say that this economic depression is responsible for all this debt? Or, is it more sensible to say that the methods adopted by the agriculturists. the ways of their living and the procrastination which they had been employing in putting off, payments have contributed in no small measure to the difficulty and the plight to which they have been reduced now.

If this is so, the next question that arises is what can the State do and how far the State can go? Is it not the duty of the State to take care of the interest of the agriculturists as well as the interest of the other peoples namely debtors and creditors?

At this stage the Dewan-President took the Chair.

One great and important reason why the industries and commerce of the State had not been progressive to the extent to which all of us would desire is the absence of cheap capital. Wherever cheap capital was available,—whatever might have been the incidental disadvantages caused by over-investment of capital in various industries, —the commerce or industry of that State had been always found to thrive. No country can improve either its commerce or industry unless cheap capital becomes avilable. Then, is it safe to frighten away cheap capital? Is it safe to shut out all resources that would make capital available for industries and agricultural enterprises in the country? Is it proper for the legislature to interfere in a manner which will make it absolutely impossible either for local capital or for outside capital to come in to be invested in local enterprises. in the attempt to settle old debts in a manner advantageous to the debtor? We should not shut our eyes to the possibilities regarding future agricultural and commercial activities.

With these observations, I think, if one looks at the Bill it will be obvious that the Bill goes a long way in finding out an acceptable *via media* between the different positions that are taken up by the Capitalist money-lender and the distressed agriculturist.

Coming to the provisions of the Bill, Sir, I find that clauses 7, 8, 9 and 10 are very useful to the debtor if he is really anxious to pay. But there are a certain class of people who are not willing to find the resources to pay and who are also anxious to carry on evasion for as long a time as possible with the aid of delaying methods available in our courts. For such people this clause may not be entirely useful.

Trade debts have been excluded and the provision made in relation to trade debts I believe, satisfies a very large section of the commercial community. One additional point to which I have to draw the attention of the House is that no exception is provided for exempting

amounts advanced by helpless widows on security of hypothecation of properties. It has been pointed out during the previous discussion in regard to this Bill that amounts invested by helpless widows on the security of property or advanced in other methods of investments should be given an exception. I am sorry to find that no such exception is provided for in the present Bill. I know of various cases which deserve very kind consideration at the hands of the Government and the Legislature. I may just try to bring to the notice of the Government the case of a young widow whose husband had been barely three years in service and passed away after the third year. Her investment has been on certain mortgages. The gentleman to whom the properties are mortgaged are even today financially in a very strong position and yet he has the temirity to say through a notice served on the woman that because a law is going to be passed in this country he expects a reduction of 30 per cent. in the principal and so he will not be paying the whole amount.

In regard to clause 4, there are certain debts and liabilities which have been exempted. I know there are certain institutions in the State—credit institutions,—who have advanced money on gold ornaments. Today the price of gold has almost doubled from what it was at the time they pledged gold ornaments in those institutions. I simply ask: Is it fair to say that because of the economic depression in the country, gold, which has almost doubled itself in value, should also be given a reduction for repayment and the party should be allowed to pay a reduction of 30 per cent. to redeem the pledge? Thus, any debt borrowed on the pledge of gold or gold ornament should also be exempted.

I wish to place one more point for the information of Government and this House. The country is passing through a very serious financial strain on account of the difficulties experienced in the matter of trade. If this legislation is not speedily passed and if some solution is not found, the credit of the country will be completely ruined. It must be possible for our Government and this House to kindly consider this aspect seriously and find some method by which an agreement could be reached and the diffieulties solved. If this is not done so the agriculturist will not be saved from the difficulties from which he is suffering now and the money which is due from the agriculturists to those who are employed in other walks of life will not be forthcoming and the industrialist as well as the commercial man will find it difficult to do business in the country. If the proposed enactment is not speedily made, financial resources would become absolutely dry with the result that prices of produce will not increase. All these circumstances considered, the sooner some satisfactory decision is arrived at on the lines indicated in the Bill and probably, with very slight alterations, here and there, the better it would be for economic position of the country.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanacherry* cum *Peermade*): Sir, after the full detailed, and very lucid exposition by my friend Mr. P. S. Mahomed, I do not think I have very much more

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to add to the discussion of the general principles of this Bill. I do not wish to enter into the details or to discuss, clause by clause the provisions of the Bill. I shall confine myself to one or two of the most important points which govern the general working of the measures contained in the Bill. The most important relief measures are contained in Sections 8, 9 and 10. The Legal Remembrancer has told us of the difference between the Bill proposed by the Debt Relief Committee and this Bill. He said that this Bill says—pay the debt and you will get the reduction. The debt Committee's Bill says—reduce the debt whether the debt is paid or not paid. That is certainly a way of putting the position and, I admit, putting it correctly. But what are the implications? At present what is the real position with regard to the relation between the debtor and the creditor? For one thing we know fully that the money transactions in this country have come to a standstill. Practically no loan is being advanced and no debt is being repaid. That has been going on for several years now. What is the real reason for that? Is it the unwillingness of the debtor to repay the amount, or is it his incapacity? On the answer to that question depends the judgment that we have to pass upon the provisions placed before us. I may say that for one year now there might have been a kind of unwillingness on the part of the debtor to pay the debt. But for that the debtor himself is not responsible. There was in the atmosphere a promise of relief and if relief is to come and to come at a time when it is urgently needed, it is human nature to wait and see what is going to happen. With that exception, I believe that debtors in this country have never been unwilling to repay their debts to their utmost ability. The Bill that is placed before this House today proceeds on the presumption that the evil is the unwillingness to pay and provides for a discount for the ready payer. It says that if the debtor pays within one year he will get a discount of 30 per cent., that if he pays within three years he will get a discount of 20 per cent. That is what is offered by this Bill. The Bill prepared by the Debt Relief Committee on the contrary proceeds on the presumption that the difficulty of the situation lies not on the unwillingness on the debtor to repay but on his incapacity and therefore the provision is for the reduction of debts, not a reduction dependent upon the payment but an absolute reduction of debt. The general question put forward by the supporters of this bill and the question that the Legal Remembrancer might put to me will be—why do you want to reduce the debt that is not to be repaid? Why do you want to reduce the debt independent of the consideration whether it is repaid or not? The question is not so simple as it appears. If there are only two alternatives namely payment and non-payment, I would certainly agree with the Legal Remembrancer. Unfortunately there is a third alternative, namely compulsory payment, forcing the debtor to pay the amount. If a debtor is not capable of paying the amount and the law is put into force, under the present Bill what relief can he get? The present Bill affords no relief to him. What will be the effect of enacting the provisions of this Bill in preference to the provisions of the Bill submitted by the Debt Relief Committee? Among the debtors those who are capable of finding money will get relief under this Bill

and those who are really incapable of finding money will get no remedy. That will be the real effect of the application of the provisions of the proposed Bill. If the Legislator and the Government want to help those persons who deserve it most, it cannot be done by this Bill, because here it depends upon the capacity of the debtor to pay. As it is the incapable debtor is asked to pay the whole amount and the capable debtor is given the discount. That, Sir, is the real difference between the Bill as presented by the committee and the Bill as submitted by the Legal Remembrancer.

The remedy that the committee suggested was a retrospective reduction of the rate of interest personally. I was myself a member of the committee, and I can honestly say that I went into that question sincerely and to the best of my ability and I cannot think even now of a more equitable solution of the question than the one suggested by the committee. To me it appears that one of the most important and the most effective relief measures suggested by the committee was to save the debtor from the operation of Section 31 of the Civil Procedure Code. The Civil Procedure Code managed to bring into this country a method of accumulating interest unheard of in this country before that date. Till that Act was passed, interest could be realised from a debtor only up to 50 per cent. But under Section 31 of the Civil Procedure Code it became possible for a man to sue for one and a half times the principal and to get up to double that before the decree and after obtaining the decree to get any amount of interest. Thus the very healthy and the very benign administration of interest that existed in this country was nullified by the introduction of Section 31 of the Civil Procedure Code. In the Bill submitted by the Debt Relief Committee we had provided for protection from the operation of this Section. That has been silently thrown away by this Bill. Sir, I do not think that any appreciable relief can be given to the really incapable and the really needy debtor in this country unless a retrospective reduction of the rate of interest and protection from Section 31 of the Civil Procedure Code are also incorporated into this Bill.

The debts after Dhanu 1112 have been excluded. The apparent reason is that there was a relief measure in force at that time and the debts have been incurred fully conscious of its provisions. But I find, Sir, that there is a kind of self contradiction in the statements made by Government. Once we are told that the provisions of that Bill are not satisfactory. On another occasion we are told because those provisions are there, they should be not changed. Of one thing we have all been convinced by this time—that the Act of 1112 has not solved the problem of indebtedness in this country. Once we admit that that Act is not sufficient and that legislation is now necessary, there is no meaning in again telling us sometimes when convenience suits the Legal Remembrancer that some clauses may be retained. Secondly as Mr. Narayana Kurup pointed out, the Act of 1112 related only to agriculturists and therefore all the debts that are intended to be brought under the operations of this Act were not brought under the

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operation of the Act of 1112. That is the second reason why the exemption cannot be accepted. Thirdly the country continues to have the same difficulties financially which it had before 1112 and unless something extraordinary happens I am afraid it will continue for some time to come. Therefore that exemption is a thing which we cannot agree to.

In the objects it is stated that the difference between agriculturists and non-agriculturists is omitted. It is true. But the difference between agricultural and non-agricultural has been brought in, and this has been done intelligently and smoothly. In trying to exclude non-agricultural debts now, actually a number of agricultural debts also have been excluded. Debt Relief Committee in their Bill really wanted to exclude all amounts that were actually engaged in trade and therefore they had provided that running accounts and trade debts incurred within the last three years should not be brought under the operation of that Act. Any debt incurred before three years would have normally passed into mortgages or would have been treated as bad debts. By trying to exclude trade debts by a circumlocutous way the Legal Remembrancer has excluded not only trade debts but also a number of agricultural debts.

Sir, one conspicuous difference that has to be noticed between the Bill as presented by the Debt Relief Committee and the one that is before the House is that in the latter the real human element is lacking. As emphasised by Mr. Nadar there is no provision to leave the debtor even a poor pittance. I am sure, Sir, that there will be very few creditors in this country who will refuse to allow the debtor a place to live in and who would actually drive them out of their houses. Such a provision which had nothing more than the feeling of mercy and humanity has been silently taken out.

The Legal Remembrancer at the end of his speech gave us a friendly hint yesterday. Of course Mr. T. P. Velayudhan Pillai called it a threat. I would not call it a threat. On the contrary I would call it a friendly warning, given in a friendly way just to explain to us clearly what the position of the Government is. We, Sir, are really benefitted by it. We know where we stand and where Government stand. But we have to say one thing. There are more than one way of enacting a law and passing a Bill in the Legislature is only one of them.

But when an Act is placed before us and we are told that Government would not accept amendments as we wish, then we are placed in a difficult situation, because, first of all, the difficulty is to ascertain what exactly the Legal Remembrancer means by a vast change. Who is to judge whether a change is vast or not? We may bring about a simple change. Judgment of vastnesses depends upon the Legal Remembrancer and the point of view taken by him. Any change that is not acceptable to the Legal Remembrancer, we should not press forward, because he may say that is vast. That is a very difficult

corner in which we have been placed and even after twenty four hours of thought I have not found out any method to adapt myself to the position offered by the Legal Remembrancer. There is only one straightforward path for us and that is to bring our amendments and to press them and suffer the consequences. Personally I do not think there will be any difficulty as far as I am concerned. The Legal Remembrancer has assured us that there is very little difference between the Bill submitted by him and that of the Debt Relief Committee. And, I stand by the Debt Relief Committee Report. I do not think that any amendment, that I can bring will be vastly different from that of the provisions proposed by the Legal Remembrancer. But whether the amendments are really acceptable or not, whether the Legal Remembrancer would consider the change too vast or not, there is only one path for us. When once Government wants us to give our approval and sanction for any provision in the draft Bill, we must do it consistently with our judgment and conscience. We must of course take the consequences and we will do so most gladly.

The debtors must be protected from the operation of Clause 31 of the Civil Procedure Code. Reduction must be available not only to debtors who can and will pay, but also to debtors whose debts are realised by the help of courts. There must be that humane provision to leave something to the poor debtor who honestly go to a court and say, "I am not capable of paying the debt. Take all that I have got here and satisfy the creditors". Those provisions at least are absolutely necessary to make this Bill really a relief Bill and to make relief reach the really needy and the indebted in this country.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram* cum *Shencotta*): Sir, in considering a measure which deals with a very difficult and complicated subject of this nature, it is almost impossible to arrive at a formula which will be acceptable to all sections. Opinion on this subject must necessarily range and has ranged between extreme positions, namely that all debt obligations must be wiped out on the one hand and that not an iota of the obligations should be affected. Naturally, the position of Government as also of the Legislature is very difficult. The main considerations which seem to have weighed with the Government in framing this Bill are not only the interests of the debtors and the interests of the creditors, but also the credit structure of the country and the credit of the State. It is these considerations which have to be borne in mind when this Bill is discussed. Any solution that may be arrived at should have due regard to all these factors. Apparently, Government seem to think that due weight to all these practical aspects has been given and it seems to me that they have now arrived at a formula which is very fair and equitable and which will serve all the interests concerned. Sir, we as responsible members of the Legislature have to make decisions of far reaching importance and we have to view the matter from the view points mentioned by me. If we look at the whole question of indebtedness from these varied angles, it will be found that the salutary provisions that are contained in this Bill represent an equitable solution of this complicated problem.

[Mr. S. Chattanatha Karayalar]

The main relief provisions are contained under Clauses 8 to 10. These provide for scaling down of the debt under certain circumstances, and also make provision for payment of the debt in instalments spread over a maximum period of six years. I think that the substance of these provisions ought to be acceptable to all classes, consistently with the preservation of the credit structure of the country and the credit of the State.

Now a few observations on the general clauses of the Bill will not be out of place. This Bill has got the great merit of simplicity and I welcome the Bill for this feature. It has done away with the distinction between one class of debtors and another and this has solved a very vexed problem indeed which must have confronted the courts of the country during the past few years.

Clause 3 of the Bill says:

> "Subject to the provisions of Sections 4 to 7, this Act shall apply to all debts incurred before the 23rd Dhanu 1112 and remaining due at the commencement of this Act."

Sir, I fail to see how this particular date *viz.*, 23rd Dhanu 1112 has been chosen for drawing the line of demarcation. On a reading of all the provisions of the Bill, and comparing it with the recommendations of the Debt Relief Enquiry Committee, I find that this provision in the Bill is at variance with the recommendation of the committee. The Debt Relief Committee has drawn the line of demarcation somewhere else. They have drawn the line between debts incurred prior to 1-1-1107 and those incurred thereafter. No satisfactory explanation has been given by the mover of the Bill as to how this date has been chosen. I thought the mover of the Bill would have a ready answer to that even when introducing the Bill.

Coming to Clause 6. it is seen that nothing contained in this Act shall affect any liability arising from any transaction with a bank if the interest charged in respect of the liability does not exceed nine per cent. per annum. I think there is a lacuna in this provision. Suppose a bank has charged more than 9 per cent. interest in all transactions. Will such a bank come within the operation of this Bill, or can such a bank claim exemption from the provisions of this Bill by foregoing all interest in excess of 9 per cent.? This point has to be clarified.

Clause 7 deals with Government's power of exemption. The clause as it stands gives very wide powers to Government in the matter and I think this House will stultify itself if the clause is retained in its present form. At any rate, I would suggest that the nature of the institutions which the Government may have power to exempt must be specified.

Then Sir, there is a wholesome provision in the Madras Debt Relief Act exempting the money of poor widows that has been invested with some particular person from the operation of the debt relief measures. It will be very hard if the persons who keep such moneys are brought within the provisions of the relief measure. An exemption clause ought to be incorporated in the Bill safeguarding the interests of poor widows who have invested their savings with some particular person.

In the course of the discussion, some anxiety was expressed by certain members that the Government themselves may avail of the provisions of the Bill for purposes of repayment of debts due from Government. I am sure it is not the intention of Government to claim the benefit of any of these provisions for relief purposes. I trust the Legal Remembrancer will give an assurance in this respect, if it is necessary.

With these observations, I support the general principle of the Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): Sir, I have very little to say. However, I have one or two observations to make by way of reply.

PRESIDENT: Before proceeding, is there any intention for Government to invoke the provisions of the Bill for their relief purposes?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, it appears that a very eminent lawyer put a question whether this Bill, if enacted, will enable Government to claim the benefit of the provisions of this Act and whether it is not really the intention of Government to claim such a privilege. It is lucky that there are a few well meaning persons also around us. One of them pointed out that the definition of the word person does not include Government. Honourable members might be aware that it was only yesterday that we had to pass a special legislation regarding taxation of 'Government'. If a 'Government' would come within the definition of the word person, the Income Tax Act would have applied to all Government. If every Government is to be treated as a person or individual or corporation, then there is no necessity for a special legislation.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: If it is so, may I know, what was the necessity for excluding specifically debt due to Government?

MR. PUTHUPALLI S. KRISHNA PILLAI: If it has to be excluded, it has to be specifically excluded as we are dealing with all debts due *from* persons. It was suggested by one honourable member that this Bill provides for the debts due from Government being scaled down, though debts due to them are specifically excluded. The suggestion is no doubt intelligent, but a little ludicrous. The Bill is not liable to be interpreted in that manner.

PRESIDENT: According to Maxwell on the Interpretation of Statutes, page 117, the State cannot take advantage of the provisions. Is that not the general rule?

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes, Sir. It was for that reason that I introduced another Bill the other day. But the ingenuity of lawyers knows no bounds.

My learned friend Mr. T. P. Velayudhan Pillai pointed out the grave mistakes in the wording of the Bill. I am very thankful to him. But I am not still convinced that there is any mistake or ambiguity as

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pointed out by him. I do not go into details, but I merely mention that all difficulties felt by the honourable member arise out of inadequate study of the provisions of the Bill.

The honourable member Mr. P. S. Muhamed stated that there must be some provision for granting relief to debtors who are really unable to pay their debts except by the sale of all the properties belonging to them. Honourable members might have realised that it was not my idea to make any distinction between persons who are able to pay and who are not able to pay. I did so out of respect for the sentiments expressed by very many members at the discussion of the matter during the last sitting of the House. Although I was strongly of that opinion, it was only an individual opinion, and as an officer of Government I am bound to be guided by the well reasoned opinions of non-official members and as a mark of respect for the sentiments expressed by them, I had to change my personal opinion. I do not want to maintain that my position is the correct position. It only shows the fair mindedness of Government in being willing to change their opinion to comply with the demands made by the representatives of the people. There is no other explanation for that. If we are to introduce the distinction between the debtor who is able to pay and the debtor who is unable to pay his debts, it is likely that that distinction may affect the general relief measures. Instead of allowing a person's status to be dragged into and openly questioned in a court of law Government thought it better in the interest of all to avoid it. For the purpose of giving relief to such debtors, if honourable members think that a clause empowering courts to administer rural insolvency laws is necessary some such provision may be made. If a distinction has to be maintained for treatment of persons who are unable to pay, the question will then arise as to who are the persons who are unable to pay. We should not be under the impression that only the demands of the debtors are correct and justifiable. There is an equally strong opinion so far as the wealthy classes are concerned. Probably they are not as assertive as the other. Any way it is a matter which the House may consider.

It was pointed out by Mr. Jebamony Nadar that rent due under leases has been excluded from the operation of the Bill. Some members have found fault with the Government for not adopting the recommendations of the Committee. Other members have found fault with the Government for adopting the recommendations of the Committee. The question of lease was brought before the Debt Relief Committee and the committee by a majority decided that such transactions ought to be excluded. The conditions in Madras relating to such transactions are not the same as in Travancore. An expert body presided over by an ex-Dewan of Travancore has come to the conclusion that such transactions ought to be excluded. Government have only followed that advice. So, honourable members should not find fault with Government at the same time for having followed the recommendations and also for not following the recommendations of the Committee.

The reasons why such transactions ought to be excluded are given in the Debt Relief Bill Enquiry Committee Report.

MR. C. JABAMONY NADAR: May I know the amount of debts on this account ?

MR. PUTHUPALLI S. KRISHNA PILLAI: I cannot say. The Committee tried to get the figures but it was not possible to get the correct figures of such debts.

The only other point which I wish to advert to is with regard to the points stated by Mr. Kainikkara Padmanabha Pillai. It was stated that one of the main reasons for the accumulation of debts was sec. 31 of the Civil Procedure Code. It may be correct to some extent. No doubt, no attempt has been made to amend the Civil Procedure Code in that respect. Any reasonable proposal in that direction will be considered.

It was said that I maintained that vast changes should not be made. I am quite sure honourable members of this House will be in a position to understand when they move an amendment whether it is a great change or a slight alteration. He has only to ask his conscience whether it is a vast change or a slight alteration that he proposes. That I believe is not a difficult matter.

MR. KAINIKKARA M. PADMANABHA PILLAI: Suppose the conscience of people are different.

MR. PUTHUPALLI S. KRISHNA PILLAI: There will be no difficulty unless the difference is so great as to the extinction of what is called conscience. What I mean by vast change and what my honourable friends mean by small change are well understood expressions. Without comments we can understand each other.

The learned Deputy President asked the question why this date, 22nd Dhanu 1112, was chosen as the dividing line to which this Act will apply. The main reason was explained by me yesterday when I introduced the Bill. The Agricultural Debt Relief Act came into force on the 22nd Dhanu 1112. Some of the provisions of that Act controlled accumulation of interest in regard to debts incurred before the commencement of the Act.

Even though those Sections apply to debts defined in the Act, that is, agricultural debts, almost every debt incurred thereafter must have been incurred on the faith of the statutory assurances contained in that Act. And I must say that it would be a folly to unsettle things which were only recently settled. We are now dealing with the whole debts, debts which have accumulated and debts of which portions have been repaid. Suppose I borrow Rs. 100 today and the Bill comes into force tomorrow. If we are to legislate for all debts due at the commencement of the Act, then I myself may turn round and say here is the enactment by which I could get a discharge by paying Rs. 70. Is it just that I should be given that power. Therefore it was found necessary to fix a date and the most suitable date was the date of the passing of the Act of 1112.

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There is a misapprehension about the repeal of that Act. Section 34 of the Debt Relief Act provides that "no interests shall accrue or be permitted to be recovered is accruing for a period of three years".

It is said that when the Act is repealed it will be operated retrospectively, enabling the creditor to recover what did not accrue or what he could not recover. This argument is meaningless.

This Section provides that for a period of 3 years no interest shall accrue exceeding a certain rate. An interest which under law will not accrue will not form part of any debt which is legally recoverable.

MR: PULIYOOR T. P. VELAYUDHAN PILLAI: What will be the rate of interest for such debts which occur after the commencement of the proposed enactment?

MR. PUTHUPALLI S. KRISHNA PILLAI. Interest will be 4 per cent. for money and 6 per cent. for paddy.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: What is the rate of interest subsequent to the passing of the Act III of 1112?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sections 34, 35 and 36 of that Act are intended to be operative only for a period of 3 years. But His Highness the Maharaja was pleased to extend the period to the 31st Karkatakam 1115. Therefore no interest exceeding the prescribed rate shall accrue till the last day of 1115.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: What will be the rate after the 31st Karkatakom 1115.

MR. PUTHUPALLI S. KRISHNA PILLAI: If it is a debt to which the Act will apply then that debt will carry 4 per cent.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the meaning of the word "Notwithstanding anything contained in any law" which the honourable member referred to now?

MR. PUTHUPALLI S. KRISHNA PILLAI: I do not quite follow the honourable member. A debt is only a debt which is recoverable in law.

It appears that there are some other misunderstandings. Mr. P. S. Muhamed said that there is a provision in the Agricultural Debt Relief Act to the effect that 1/4th of the property should be left to the indigent debtor and that this Bill does not contain a similar provision. But I can say that not even one cent can a debtor secure by the beneficient provision contained in that Act.

Everything under that Act depended on the sweet will and pleasure of the creditor. Everything under this depends on the choice of the debtor.

Some honourable member said that reduction should be compulsory and should be made even if the debt is not repaid. But, Sir, I have the

misfortune to take the opposite view. Why should any reduction be made if the debtor is not able to pay or is not willing to pay. For whose benefit is the reduction made? If he is not paying, interest will be accumulating and within another 6 or 10 years the debt would have doubled itself. Where is the use in reducing debts which are not discharged and which are not proposed to be discharged. I am reducing it towards the close instead of in the beginning. Why should reduction be in the beginning rather than in the end. Without payment there is no use in effecting a reduction. Honourable members have taken this view probably because I have taken the other view. I say, if you pay 70 per cent. the remaining 30 per cent. shall be deemed to have been discharged. Honourable members, on the other hand, say 'if you reduce 30 per cent. in the beginning we will see whether we can pay' the balance. The fundamental difference lies in that. I would therefore suggest this as an example of the "vast change" to which I referred yesterday. I emphasised the position yesterday that this Act will apply only to debts which remain unpaid for the last three years. The debtor has been persuaded to part with his money on the assurance that he would get it back on demand or within the time specified and in very many cases the assurance that we give is 'Tomorrow or day after'. This is the usual term on which we borrow. The Bill applies to debts which remain unpaid for the last three years. I propose six further years—nine years in all for the paying back of the debt which was borrowed on the assurance that it would be returned 'The day after'. Is that not a reasonable proposal ? Nine years for the repayment of the debt ? Sir, to go further, if you take into account the debts about which the present complaints are made, it will be seen that most of them are debts incurred before 1105. The debtors had already more than ten years' time within which to repay the debt. The cocanuts they might have planted then must have begun to bear by this time. Honourable members must take into consideration those facts also in fixing the period for repayment.

In insisting on payment in instalments, there is another very important thing that has to be taken into consideration. Honourable members should not always think of the money-lenders alone. Every one of us, as was stated, here, is a debtor as well as a creditor. Small investments, small earnings made up of a Rupee or five Rupees, must have been kept by them in their home and when they have accumulated must have been invested. Is it reasonable to suggest that all these need be paid in 24 magnificent years because we cannot pay ? If out of the hundred rupees you had borrowed, you keep ninety in your pocket and give the creditor the balance, how can the creditor meet the claims that may be made on his purse by a son who wants to go to the college or a girl who wants to get married ? My life earnings of which I have been probably dreaming every night is destroyed when you pay only piece meal. It will be the experience of every person that if he is able to get a substantial sum, say a hundred rupees, he could make a start with it. If you start with one rupee, in how many years time could the creditor hope to accumulate it and get back

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to his original hundred so that he might utilise it for his needs? Every man earns for the necessities of his life. I had earned and given it so that you make use of it for your purpose. When my need has come, you will pay only in instalments. Is it your intention that my necessities should not be valued at more than Rs. 10. These matters have to be considered in pressing for the instalments spread over a large number of years. The suffering it will cause on the people must be carefully borne in mind. It is said that we have no money-lending class about whom so much is said in British India. The transactions in the Banks are available to the lucky few and the luckier has some gold ornaments to pledge. To our ordinary comrades the facilities afforded by the Banks are not easily available It is borrowing from his neighbour that is possible in his case and if you say that this amount will be spilt up into atoms and returned in twenty four years' time, it will be hard.

My argument therefore is that every debtor to whom this Act applies will necessarily have nine years, and, in fact, most of them have had nine or ten years to their credit and will have yet another six years. My agreement may not be necessary to pass any measure by this House. But, honourable members will bear in mind the implication contained in my statement. As I stated, we are not fighting for debtors we are not fighting for creditors. These are two classes whose interests do not seem to be identical and we are called upon to arbitrate take both parties' grievances into consideration, strike a *via media* and then adopt that course. If my proposals appear to be very meagre it is open to honourable members to improve upon them. I do not object to slight alterations being made, but, to convert this six years into twelve and reduce all past interest to 4 per cent. and then say "make a further reduction of 30 per cent" is certainly objectionable.

MR. M. SIVATHANU PILLAI: May I know whether the member has any objection to convert money into property?

PRESIDENT: How could the honourable member do that?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, there is a lot to be left to the debtor and the creditor in the matter of finding funds to pay back debts. If the creditor finds that the provisions in this Bill are not quite to his advantage, there will be various methods available to him. If the debtor finds that he is not benefitted by the provisions, he will come to some understanding with the creditor.

MR. M. SIVATHANU PILLAI: Sir, what I want to know is that if in future 80 per cent. need only be paid in settlement of the full debt people will hasten to pay this 80 per cent. within one year and this will necessitate a rush for money in the money market. How are you going to meet the rush? Will it not be advantageous to convert money into property and thus adjust?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, to give that opportunity to the debtor would be rather killing the entire credit in the country.

There are persons who have borrowed on the credit of the Vembanad lake. In the documents properties are mentioned which when traced will be found to be lands in the unreclaimed areas of the Vembanad lake. You cannot compel the creditor or foist the property on him.

MR. M. SIVATHANU PILLAI: Sir, I do not mean the question of foisting these on the head of the creditors. But if that offer made by a debtor is found to be reasonable has the member any objection to compel the court to enforce that order?

MR. PUTHUPALLI S. KRISHNA PILLAI: Such a provision is undischargeable in practice. The debtor will say that his property is worth Rs 2000, the creditor will be alert and undervalue it and the court has to take all the evidence and decide the matter.

MR. M. SIVATHANU PILLAI: Is it the opinion of the honourable member, that in order to take advantage under clauses 8 and 9 of the Bill, when the debtors go in for money there will be sufficient money available in the money market?

MR. PUTHUPALLI S. KRISHNA PILLAI: I do not say that all the money required may be forthcoming. But the honest debtor who wants to see his debt cleared will have sufficient money according to the needs and will take advantage of the provisions of the Bill.

MR. M. SIVATHANU PILLAI: Am I to understand from the honourable member that in Travancore the twenty four crores of rupees which has been assessed as the total debt, the whole amount is available so that the debtors can take shelter under Sections 8 and 9?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, I do not say that. Sections 8 and 9 are the means at his disposal. The less fortunate who do not get the same facilities as his more fortunate brothern will repay his debt within three years and those who cannot do so will toil for another six and pay off their debt.

MR. M. SIVATHANU PILLAI: Sir, I am an honest debtor. I want to pay the money I have borrowed. I have properties which I am prepared to sell. But where is money available? Unless Government are able to make some provision for the debtors to get money from the money market I ask, what is the use of this provision?

MR. PUTHUPALLI S. KRISHNA PILLAI: I am not in a position to conceive of any law by which we would be able to compel persons who have got money to advance money to the honest debtor who has got first class properties to offer by way of security. It depends upon his pluck and ability to persuade the creditor to give him money. It cannot be stated that there is no money in this country. Money would be forthcoming if our debtors are ready and willing to pay. Each and every one of us should not be taken to be on the same footing. If my friend Mr. Sivathanu Pillai tries to secure a loan he may succeed in getting it in three days' time. Less fortunate friends, if they try to secure a loan, may take one month or two months and many of us may not get any loan at all however much we may try. There is a difference between my friend Mr. Sivathanu Pillai and his friend the Legal Remembrancer. If there are seventy persons out of whom ten

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are able to raise money why not give the benefit to those ten people and allow the sixty people to try their chance under the next clause. Out of sixty at least thirty may be able to secure money with in three years and those who are not able to get the benefit of Section 8 or Section 9 will go to the wall, but like every agriculturist in the country toil from year to year, make some money and try to pay in six years' time.

MR. M. SIVATHANU PILLAI: My point is this. It is not a question of incapacity of the debtor to pay money or want of pluck. Granting that there is pluck and capacity should there not be money available?

MR. PUTHUPALLI S. KRISHNA PILLAI: The man who is quick, who has pluck, who is able to command credit, will get money first. Is it the member's position that all money has vanished from Travancore? I am not even now prepared to believe that it has. Probably they are playing hide and seek because of the attitude of our friends. They are really afraid of our debtors. It is not a question of shyness or coyness. If the debtors are prepared to come forward and say that they will pay and if there is the assurance behind it then money will be forthcoming. Where has the money gone? If our best friends have got one hundred rupees now they will not be prepared to give us a loan of that amount even though we may borrow it with the best of intentions. If the law says that you will have the right to claim a rebate if you pay at least a fair portion, I think money will be forthcoming. Of course, Government, as some members suggested, need not issue debenture bonds. All the money that is required will come and is bound to come but let us assure the creditors that we will not always or frequently come forward and say that the debt must be reduced. I am sure there will be some money always available. Where did all this money come from? Can you imagine wherefrom all the twenty-five or thirty crores, which is approximately the extent of the present indebtedness, come. All this amount or most of it certainly came from outside. Our frontier gates have not been closed now. Money will still come from outside. But we will have to assure them that we will not always come forward and say—there is no debtor who is able to pay and so do not allow your money to come here.

MR. K. NARAYANAPERUMAL NADAR: May I know whether it is possible for debtors to enjoy the benefits of Sections 8, 9 and 10 if civil warrant is not stopped for at least six months.

MR. PUTHUPALLI S. KRISHNA PILLAI: If this Bill were to come into force, what it says is that every debtor to whom it applies may pay his debt under Section 8 or under Section 9 or under Section 10. If a warrant is issued for his arrest, he has only to apper before the court and say that he will pay the debt under any of these Sections.

MR. K. NARAYANAPERUMAL NADAR: Suppose within fifteen days of the passing of the Act the debtor is imprisoned.

MR. PUTHUPALLI S. KRISHNA PILLAI: He has got six months' time to pay the first instalment and he has only to tell the court that he wants to avail of the benefit under Section 10. The court will not sent him to prison. The debtor hereafter will be a debtor with certain privileges and one privilege is that he can say to the creditor - do not come and bother me for the next six months. The general effect of the provisions contained in this Bill would be that within the next six months no debtor to whom this Act applies will be bothered.

If the House is willing to adopt the motion I wish to make a suggestion for your consideration. Some honourable members are of the view that the Bill must be referred to a Select Committee. I have myself been thinking about that matter and I think it will be more conducive to the expeditious disposal of this matter if a committee of the whole House is formed for the purpose.

PRESIDENT: The suggestion has been made that instead of appointing a small select committee the House may go into the Select Committee. The question is whether on the whole the House would approve of that procedure. Unless the House is generally in favour of that procedure I would not try to make any exception. But there are undoubted advantages in expediting the matter so that we may arrive before the Budget session at some decision, so that the Bill, as it emerges, may be put on the statute book before the Budget session commences I am awaiting the suggestions from the leaders of the various parties.

MR. KAINIKKARA M. PADMANABHA PILLAI: My party has no objection to the suggestion of the President, that the whole House may go into select committee.

MR. N. RAMAKRISHNA PILLAI: My party also has no objection.

PRESIDENT: I take it that the general sense of the House is that the whole House go into committee.

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that the Bill be referred to a select committee of the whole House.

MR. K. R. NARAYANA AIYAR: I second it.

MR. S. CHATTANATHA KARAYALAR: On a point of order I want to know whether our standing orders allow this.

PRESIDENT: As a matter of fact the standing orders suggest this. Standing Order 86 (4) at page 31 states:—

> "The member in charge may then immediately move that the Bill be referred to a select committee composed of such members as he may specify in his motion."

I take it that the member in charge in the present instance specifies all the members of the House. Is there any objection to that?

MR. PUTHUPALLI S. KRISHNA PILLAI: There is no objection but this procedure is resorted to only in exceptional cases.

MR. M. R. NARAYANA PILLAI: There are very many members who may have to send up amendments and there will be very little time for that if the House is to resolve into committee.

PRESIDENT: I find that one hundred and seventyfive amendments have already reached the President. Assuming that there are one hundred and seventy five amendments more there will be on the whole three hundred and fifty amendments. If honourable members want the usual procedure then the select committee will probably meet tomorrow or on Friday or Saturday and then it will report to the next meeting of the House which may not be shortly held as there is no time between now and the next meeting of the Finance Committee which will have to meet before the budget is taken up and there will be many delays. If honourable members would have it very quietly and fully threshed out and would have this matter legislated upon in September at the earliest, it is a different matter. But if they want some kind of legislation practically immediately then the procedure suggested by the Legal Remembrancer is the convenient procedure. I leave it to the House to decide.

MR. M. R. NARAYANA PILLAI: It will be rather disadvantageous to the people to rush through a piece of legislation like this.

The question that the House go into committee was then put to vote and declared carried.

PRESIDENT: The committee will meet tomorrow. There are certain agenda papers that have been distributed indicating that the House will meet tomorrow. There is no business tomorrow excepting interpellations which will be taken on the day next following and the whole of tomorrow may be taken up by the committee.

MR. R. SAMBASIVA AIYAR: May I know whether it is possible for us to send up amendments in the select committee stage?

PRESIDENT: If for the purpose of the crystallising and focussing discussion you want to send up amendments you may do so.

MR. PUTHUPALLI S. KRISHNA PILLAI: There must be a chairman.

PRESIDENT: I nominate the Deputy President as the chairman of the Select Cemmittee.

The House adjourned at 5 p. m.

Trivandrum,
June 1940.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT.*)

SECOND ASSEMBLY.

SIXTH SESSION.

Thursday the 20th June 1940/7th Mithunam 1115.

The Assembly met again at 11 A. M. in the Legislative Chamber with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., L. L. D., in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls.

1. Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector-General of Police.*)
2. Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government.*)
3. Mr. K. Sankaran (*Secretary to Government.*)

QUESTIONS AND ANSWERS.

Culvert at Ampiyilthottukadavil.

333. *MR. P. KUNJUKRISHNAN (*Quilon cum Kottarakara*): Will the Government be pleased to state :

(*a*) whether representations have been received by Government for the construction of a culvert at Ampiyilthottukadavil, near Chittumalai Bund, Kizhakekallada, Quilon, for irrigation purposes ;

(*b*) the date on which such representations were made ;

(*c*) whether the departmental authorities have inspected the place at any time ; and

(*d*) if so, what further steps have been taken in the matter.

MR. M. S. DORASWAMI AIYANGAR (*Chief Engineer*): (*a*) Yes, one.

(*b*) On 17-11-1939.

(*c*) Yes.

(*d*) An estimate has been prepared and it is being scrutinised.

New tanks in South Travancore.

334. *MR. D. FRANCIS (*Kalkulam cum Vilavankod*): Will the Government be pleased to state the total number of new tanks constructed or under construction in the taluks of Tovala, Agastisvaram, Kalkulam and Vilavankod ?

MR. M. S. DORASWAMI AIYANGAR (*Chief Engineer*): Nil.

MR. M. SIVATHANU PILLAI (*Tovala* cum *Agastisvaram*): With reference to Question No. 334. May I know why no steps were taken in the matter of constructing new tanks in the taluks of Thovala, Agastisvaram, Kalkulam and Vilavankod?

MR. M. S. DORASWAMI AIYANGAR: The answer refers only to the number of tanks newly constructed. The number of tanks restored is not given.

MR. M. SIVATHANU PILLAI: I should like to know why new tanks were not constructed, and whether the Chief Engineer is aware that for the purpose of irrigation works in Nanjinad new tanks should be constructed?

MR. M. S. DORASWAMI AIYANGAR: The claim for the restoration of these tanks have not been taken up.

MR. M. SIVATHANU PILLAI: May I know from the Chief Engineer whether he is aware that the Dewan-President gave a declaration to the effect that, as far as possible, tanks will be restored for meeting the difficulty of irrigation in Nanjinad?

MR. M. S. DORASWAMI AIYANGAR: The Dewan gave a declaration, no doubt, but the restoration of the existing tanks was a more important matter and that is being taken up in preference to the construction of new tanks. Further, the question of construction of new tanks is a matter which requires more detailed investigation.

MR. M. SIVATHANU PILLAI: Was there any recommendation from the Irrigation Committee appointed for the purpose that tanks should be constructed?

MR. M. S. DORASWAMI AIYANGAR: I claim notice.

MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*): May I know whether applications were received for the restoration of tanks?

MR. M. S. DORASWAMI AIYANGAR: So far as I am aware, no.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I know whether the Department has prepared a list for the construction of new tanks?

MR. M. S. DORASWAMI AIYANGAR: None, so far.

MR. T. C. KESAVA PILLAI: May I know whether Government will be pleased to expedite the construction of the Parali Dam to meet the immediate requirement of Nanjanad area?

MR. M. S. DORASWAMI AIYANGAR: The matter is being carefully investigated.

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*): The policy of Government is to take up the improvement of silted tanks first and after such work is completed, the construction of new tanks.

MR. T. C. KESAVA PILLAI: May I know whether the tanks which have been silted up will be much more in area than those comprised by he present proposal?

MR. M. K. NILAKANTA AIYAR: I have not gt statistics with me now.

Motor accidents near the Pulimood bridge. in Mavelikara taluk.

335. *MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state;

(*a*) the number of motor accidents that took place near the Pulimood bridge in Mavelikara town during the years 1113 and 1114;

(*b*) whether they have received any representations from the people for the construction of parapet walls protecting the road on either side of the bridge;

(*c*) whether any action was taken on them; and

(*d*) if so, the steps taken till now?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Only one accident in 1114.

(*b*) No.

(*c*) & (*d*) Do not arise in view of the answer to (*b*).

Opening of a canal.

336. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally* cum *Kartikapally*): Will the Government be pleased to state:

(*a*) whether application has been received for the opening of a canal along S. Nos. 476/1, 2, 3, 4, and 5 of Thrikkakara pakuthi, Kunnatnad taluk, by any officer of the State;

(*b*) whether any officer inspected the spot; and

(*c*) the result of that enquiry?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) Yes.

(*c*) The preliminary investigation has been made and a detailed estimate is being prepared.

New arrangement in the Pre-audit.

337. *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state:

(*a*) whether at present a separate receipt is demanded when cheques are handed over from the Pre-audit Treasury;

(*b*) whether that was the system in existence before; and

(*c*) what are the benefits of the present system over that which existed before?

MR. S. SUNDARARAJAN (*Financial Secretary to Government*): (*a*) Yes.

(*b*) The rules have provided for it long before.

(*c*) The procedure is the legally correct one.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether there was a single case of defalcation in the Pre-Audit during the last 30 years of its inception?

MR. S. SUNDARARAJAN: I claim notice.

MR. KANNANTHODATH JANARDANAN NAIR: May I know if the rules had provided for it long before and if the system was beneficial why the system was not used before?

MR. S. SUNDARARAJAN: The new system was followed as soon as the defect in the old system was found out by the officers concerned.

MR. KANNANTHODATH JANARDANAN NAIR: May I know what exactly was the defect in the system?

MR. S. SUNDARARAJAN: The point is very technical and if the honourable member would care to come to me leisurely I will explain to him with reference to the vouchers what exactly the defect was.

Audit of the Transport Department.

338. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) when the Transport Department was audited last; and

(*b*) what the result of the audit was?

MR. S. SUNDARARAJAN: (*a*) If by audit is meant local audit, such audit was conducted in the 1st half of the current year.

If otherwise, the audit is done monthly.

(*b*) The report is under consideration and it is too early to state anything about the result of audit.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the members has seen that report.

MR. S. SUNDARARAJAN: Yes, I have seen the report.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the impression that the department is running at a loss can be ascertained from that report?

MR. S. SUNDARARAJAN: Government have no impression like that.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the member is aware that the Government has issued a Press Note stating that the department was running at a loss due to the subversive activities of the State Congress?

PRESIDENT: That was not what the Press Note stated. Honourable members should verify the correctness of their statements before they make them. Questions of that nature may have a very deleterious effect on the public. Government did not say that the department was running at a loss. What they said was that much loss was caused on account of the subversive activities of the State Congress. It is very different from saying that the department was running at a loss due to the subversive activities of the State Congress. Honourable members who are the custodians of the honour of the departments as much as the Government ought to be careful when they make such statements.

MR. KANNANTHODATH JANARDANAN NAIR: That was not my intention. I did not want to condemn the department. I asked the question only on a point of information.

PRESIDENT: If really the department is badly managed, there must be no camouflage but there must be straightforward comments and Government will have the opportunity to deal with the matter and take up the responsibility to deal with it. But indirect statements of this nature are unhelpful for the proper running of administration and nobody

should be more sensitive to that than the honourable members of this House.

MR. PADIYARA JOSEPH KUNJU (*Changanacherry* cum *Peermade*): പ്രാപ്തനായ ഒരു ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷൻെറ അഭാവം നിമിത്തം ഈ ഡിപ്പാർട്ടുമെൻറിനു കിട്ടേണ്ട ആദായം മുഴുവനും കിട്ടുന്നില്ലെന്നുള്ള വിവരം അറിയാമോ?

MR. S. SUNDARARAJAN: There is no such impression

Applications under Act 1 of 1114.

339. ***MR. A. K. KUMARAN VAIDYAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased to lay on the table a statement of the names of persons who have applied to the Government for removal of disqualifications arising out of conviction under Act I of 1114?

MR. M. K. NILAKANTA AIYAR: The Statement is laid on the table.

Detention under the Defence of Travancore Act.

340. ***MR. K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastisvaram*): Will the Government be pleased to state:

(*a*) the number of persons detained under the Defence of Travancore Act during the period from the month of Tai 1115 to 15th Vykasi 1115;

(*b*) whether any of those persons is detained in the police lock-up;

(*c*) the number of those persons who are detained in the civil jail; and

(*d*) the number and the names of those detained in the Central Jail?

MR. M. K. NILAKANTA AIYAR: (*a*) 8.

(*b*) 6.

(*c*) Nil.

(*d*) Mr. R. Parameswaran Pillai.

Detention under the Defence of Travancore Act.

341. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) the number of persons detained, under the Defence of Travancore Act, from the declaration of the present European War to May 31, 1940; and

(*b*) the amount allowed to each person for

i. daily food,

ii. clothing,

iii. other necessaries?

**Vide* appendix I.

MR. M. K. NILAKANTA AIYAR: (*a*) 16 (under Rules 26 and 129 of the Defence of Travancore Rules).

(*b*) (i) 14 Chuckrams on an average is spent for each individual.

(ii) and (iii) No separate amount has been fixed.

Detenues in Police custody.

342. ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to state:

(*a*) the number of detenues in police custody under the Travancore Defence Act; and

(*b*) the number of detenues in Central Prison?

MR. M. K. NILAKANTA AIYAR: (*a*) 8.

(*b*) 3.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether all of them will be produced before courts of law?

MR. M. K. NILAKANTA AIYAR: Yes, if summons is issued by court.

MR. KANNANTHODATH JANARDANAN NAIR: May I know how they can prove their innocence if they are innocent without being taken before a court of law?

MR. M. K. NILAKANTA AIYAR: Government are convinced that their activities will be dangerous to the safety of the State.

MR. KANNANTHODATH JANARDANAN NAIR: May I know on whose report Government comes to such conviction?

MR. M. K. NILAKANTA AIYAR: The information cannot be disclosed in public interests.

Officers drawing Rs. 50 and above in the Education Department.

343. ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to place on the table a statement by caste of the officers in the Education Department drawing Rs. 50 and above?

MR. A. GOPALA MENON (*Director of Public Instruction*): The *statement asked for is laid on the table.

Appeals received from teachers of grant-in-aid schools.

344. ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to state:

(*a*) the number of appeals received by the Director of Public Instruction from teachers of grant-in-aid schools on their dismissal from such institutions in 1114;

(*b*) the number of such appeals decided in favour of the teachers; and

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*Vide Appendix II.

(c) whether such teachers are reinstated in the service of such institutions?

MR. A. GOPALA MENON: (a) Six.

(b) Three.

(c) No.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from the member why the three teachers were not reinstated?

MR. A. GOPALA MENON: With regard to these three teachers who have not been reinstated, certain conditions were imposed; that they should apologise to the managers. The teachers refused to do it and so the department could not interfere in the matter.

Volunteers and Clerks in the Anchal Department.

345. ***MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad cum Parur*): Will the Government be pleased to lay on the table?

(a) a statement giving particulars in regard to volunteers who were working in the Anchal Department before 1111 and who are now without employment, their number, the caste to which each of them belongs, the date of their entry in the service, the period during which they were employed and the respective taluks to which they belong; and

(b) a statement showing the number of persons now in service who entered the Anchal Department since 1111 as clerks, their native places, caste, date of entry in the service and the period of their service?

MR. V. R. SANKARANARAYANA PILLAI (*Secretary to Government*): (a) & (b). Two statements* furnishing the information are laid on the table.

MR. K. P. KOCHUKORA THARAKAN: സർ, എന്റെ ചോദ്യത്തിനുള്ള ഉത്തരമല്ലാ സ്റ്റേറ്റുമെന്റിൽ കൊടുത്തിരിക്കുന്നതു്. ൧൧൧൧-നു മുൻപു അഞ്ചൽ ഡിപ്പാർട്ടുമെന്റിൽ വാളൻഡിയേഴ്സായി ജോലിയിൽ പ്രവേശിച്ചവരിൽ ഇപ്പോഴം സർവീസിൽ ഇരിക്കുന്നവരുടേയും സർവീസിൽനിന്നു പിരിച്ചു വിട്ടവരുടെയും ഒരു ലിസ്റ്റാണു ഞാൻ ആവശ്യപ്പെട്ടിട്ടുള്ളതു്. അതിലേക്കു ൭൭ പേരടങ്ങിയ ഒരു ലിസ്റ്റു ഇവിടെ കൊടുത്തിരിക്കുന്നു. അവർ സർവീസിലിരിക്കുന്നവരൊ അല്ലാത്തവരോ എന്നറിയാൻ നിവൃത്തിയില്ല.

MR. M. K. NILAKANTA AIYAR: വാളൻറിയേഴ്സായി ജോലിയിൽ പ്രവേശിച്ചവരുടെ എണ്ണം കണക്കാക്കിയാണു് ലിസ്റ്റു തയ്യാറാക്കിയിട്ടുള്ളതു്. അതിനെപ്പററി കൂടുതലായി അറിയേണ്ടതു എന്താണെന്നു ചോദിച്ചാൽ അതു പറയാം.

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* *Vide* Appendix III (a) and (b).

MR. PADIYARA JOSEPH KUNJU : അഞ്ചൽ ഡിപ്പാർട്ടുമെൻറിലെ നിയമനങ്ങൾ നടത്തുന്നതു അഞ്ചൽ സൂപ്രണ്ടാണോ അതല്ലാ പബ്ലിക്ക സർവീസ കമ്മീഷണരാണോ?

MR. M. K. NILAKANTA AIYAR : പബ്ലിക്ക സർവീസ കമ്മീഷണരാണ്.

MR. K. P. KOCHUKORA THARAKAN: ലിസ്ററിൽ ഉൾപ്പെട്ടിരിക്കുന്നവരെല്ലാം ഇപ്പോൾ ജോലിയില്ലാത്തവരാണോ?

MR. M. K. NILAKANTA AIYAR : അതേ. വാളൻറിയറന്മാരാണ്.

Mavelikara-Tiruvalla-Changanacherry road and the Tiruvalla-Edathua road.

346. *MR. M. R. NARAYANA PILLAI (*Tiruvalla*) : Will the Government be pleased to state :

(*a* the date of commencement of construction of the New Mavelikara-Tiruvalla-Changanacherry road and the Tiruvalla-Edathua road ;

(*b*) the progress of the construction work so far ; and

(*c*) the causes for the delay.

MR. M. S. DORASWAMI AIYANGAR : (*a*) 1. No new construction of road as 'Mavelikara-Tiruvalla-Changanacherry road is taken up.

2. The construction of the road from Tiruvalla to Edathua was started in 1102 M. E.

(*b*) and (*c*) The formation of road with regard to item (2) in part (*a*) has been completed but the construction of some bridges and culverts remains to be taken up. The delay for the same is due to certain alterations and revisions of the original designs of bridges and culverts.

MR. M. R. NARAYANA PILLAI : Arising out of the answer to part (*a*) of the question, may I know whether the Chief Engineer is aware of the existence of a road from Pulikeezh to Changanacherry without touching the Main Central road in Thiruvalla taluk ?

MR. M. S. DORASWAMI AIYANGAR : There is no important cartable road like that.

MR. M. R. NARAYANA PILLAI : May I know whether there was any proposal to construct such a road ?

MR. M. S. DORASWAMI AIYANGAR : I claim notice.

MR. M. R. NARAYANA PILLAI ; I have given notice. Part (*a*) of the question asks for the date of the commencement of the construction of the road.

MR. M. S. DORASWAMI AIYANGAR : That information is now not available and as far as I remember, no such road was taken up.

MR. M. R. NARAYANA PILLAI: Arising out of answer to part (*b*) of the question may I know whether Chief Engineer is aware when the alterations and revisions were finally settled?

MR. M. S. DORASWAMI AIYANGAR: Two or three different alterations had been made from time to time.

MR. M. R. NARAYANA PILLAI: When does the honourable Chief Engineer hope to finish the Thiruvalla-Edathua road?

MR. M. S. DORASWAMI AIYANGAR; By the end of the next official year.

Car for conveying prisoners.

347 ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to state:

(*a*) whether they have purchased a car for conveying prisoners or for any political purpose; and

(*b*) whether it is used for that purpose?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY (*Inspector-General of Police*);

(*a*) No.

(*b*) This does not arise in view of answer to (a).

Interpellation No. 284, published at page 1121 of Vol. XII of the Sri Mulam Assembly Proceedings.

348 ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Thiruvella*): With reference to the answer to the Interpellation No. 284 published at page 1121 of Vol. XII of the Sri Mulam Assembly Proceedings, will the Government be pleased to state:

(*a*) whether the prayer contained in the representation submitted to Government on the 25th Meenam 1113, was sanctioned;

(*b*) the action taken on the list prepared regarding the hard cases;

(*c*) whether the signatories to the representation have been subsequently appointed as teachers;

(*d*) whether these signatories to the representation are in service now;

(*e*) whether they would be pleased to lay on the table the statement containing the date of first entry, the total period of service, and the date on which each of them was sent out of service so far as they relate to the signatories to the representation;

(*f*) whether the list referred to in the answer has already been prepared; and

(*g*) whether the signatories to the representation have submitted to the Dewan and the Director of Public Instruction another representation dated 10-5-1115 for the purpose, and the action taken on the same?

MR. A. GOPALA MENON (*Director of Public Instruction*): (*a*) No.

(*b*) The list is being looked into.

(*c*) No.

(*d*) This does not arise in view of answer to (*c*) above.

(e) The *statement, as requested, is laid on the table.

(f) Yes.

(g) Yes. This is engaging the attention of Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: In view of the fact that all these 30 teachers mentioned in appendix IV were thrown out of service so long ago as 1112, may I know from Government whether they would think it necessary to dispose of their case favourably without further delay?

MR. A. GOPALA MENON: Govvernment hope to dispose of this question very early.

Ambalapuzha—Thriuvalla road.

349 ***MR. N. NARAYANA KURUP** (*Ambalapuzha* cum *Shertala*): Will the Government be pleased to state:

(a) the date on which the construction of the Ambalapuzha—Thiruvalla road was sanctioned;

(b) when the construction actually began;

(c) whether the road up to Thakazhy from Ambalapuzha is cartable;

(d) if not, why no work on it has been begun yet;

(e) whether they received any representation this year to include this work also in the relief work sanctioned this year; and

(f) if so, what action has been taken on the same?

MR. M. S. DORASWAMI AIYANGAR: (a) In the year 1926.

(b) The construction of the road was begun in Makaram 1102.

(c) No.

(d) Due to want of funds.

(e) Yes.

(f) The matter is under consideration.

MR. N. NARAYANA KURUP; May I know why fund was not available for this particular part of the road for the past 12 years?

MR. M. S. DORASWAMI AIYANGAR: I did not hear the question.

PRESIDENT: The honourable member ought to listen well?

MR. N. NARAYANA KURUP: My question is, with reference to part (d) of the answer why fund was not available for the construction of this particular part of the road for the past 12 years?

MR. M. S. DORASWAMI AIYANGAR: Owing to pressure of other more important and urgent works funds were not allotted for this.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the honourable Chief Engineer whether there is not a bridge proposed for construction at Vakkathilathu on the very same road?

MR. M. S. DORASWAMIIYANGAR: There is.

**Vide* Appendix IV—page 716.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether there is not budget provision for this in the current year?

MR. M. S. DORASWAMI AIYANGAR: There is provision in the budget for the current year and materials from the Workshops are being arranged to be conveyed to the place for constructing the bridge.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the year in which the construction of this particular bridge commenced?

MR. M. S. DORASWAMI AIYANGAR: About 4 years back.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason for the delay for its completion?

MR. M. S. DORASWAMI AIYANGAR: After the construction was begun some changes were thought to be necessary in the number of spans and therefore some additional materials were required and they had to be indended for. The question whether the additional spans were necessary or not was under correspondence between the executive Engineer and the Chief Engineer. Now that has been settled.

Irrigation in South Travancore.

350 ***MR. D. FRANCIS**: Will the Government be pleased to state:

(*a*) the total amount allotted in the budget estimate 1113 for irrigation purposes in the taluks of Thovala, Agastisvaram, Kalkulam and Vilavankod; and

(*b*) the number of new tanks constructed in the Agastisvaram taluk for the use of newly converted lands?

MR. M. S. DORASWAMI AIYANGAR:

(*a*) Thovala	Rs. 20,637.
Agastisvaram	Rs. 49,221.
Kalkulam	Rs. 47,329.
Vilavankod	Rs. 30,834

(*b*) Nil.

MR. M. SIVATHANU PILLAI: May I know from the honourable Chief Engineer how much amount was spent from the amounts allotted for these taluks in 1113?

MR. M. S. DORASWAMI AIYANGAR: I claim, notice.

MR. M. SIVATHANU PILLAI: May I know whether the amounts lapsed or whether any surrender has been made?

MR. M. S. DORASWAMI AIYANGAR: I claim notice, Sir.

Statement, by caste, of appointments in the Electrical Department.

351 ***MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the officers holding appointments carrying a pay of above Rs. 50 in the Electrical Department?

MR. M. K. NILAKANTA AIYAR: A *statement is laid on the table.

* *Vide* Appendix VII,

MR. THARIATHU KUNJITHOMMEN : സർ, ഇലക്ട്രിക്കൽ ഡിപ്പാർട്ടുമെൻറിൽ ആകെ ൧൩ ക്ലാർക്കന്മാർ ഉള്ളതായി കാണുന്നു. അതിൽ ക്രിസ്ത്യാനികളായി ൧൧ പേർ ഉള്ളതിൽ ൧൦-ം ഒരു ചെറിയ ക്രിസ്ത്യൻ വിഭാഗത്തിൽപ്പെട്ടവർക്കാണു കൊടുത്തിട്ടുള്ളതു്. അങ്ങിനെ ചെയ്യുന്നതിനു കാരണം എന്താണു്? മററു വിഭാഗക്കാരിൽനിന്നും യോഗ്യതയുള്ള അപേക്ഷകന്മാരാരുമില്ലാതിരുന്നതു കൊണ്ടാണോ?

MR. M. K. NILAKANTA AIYAR : ഈ നിയമനങ്ങൾ പബ്ലിക്ക് സർവീസ് റിക്രൂട്ടുമെൻറു റൂംസ് നടപ്പിൽ വരുന്നതിനു മുൻപു നടത്തിയിട്ടുള്ളവയും ഉൾപ്പെടെയാണ്. പബ്ലിക്ക് സർവീസു റിക്രൂട്ടുമെൻറു റൂംസ് നടപ്പിൽ വന്നതിനു ശേഷം അതനുസരിച്ചുതന്നെയാണ് എല്ലാ നിയമനങ്ങളും നടത്തിയിട്ടുള്ളതു്.

MR. THARIATHU KUNJITHOMMEN : ഈ ൧൧ നിയമനങ്ങളിൽ ൧൦-ം മാർത്തോമാ സമുദായക്കാരിൽ നിന്നുമാണ് നടത്തിയിരിക്കുന്നതു്. അങ്ങിനെ ചെയ്തതു ഒരു അസ്വാഭാവികമായിട്ടുതന്നെയാണു തോന്നുന്നതു്. പബ്ളിക്ക സർവീസ് റിക്രൂട്ടുമെൻറു റൂംസ് നടപ്പിൽ വന്നതിനു ശേഷമുള്ള മുഴുവൻ നിയമനങ്ങളും പബ്ളിക്ക് സർവീസു കമ്മിഷണർ തന്നെയാണോ നടത്തിയിട്ടുള്ളതു്?

MR. M. K. NILAKANTA AIYAR : അതെ.

MR. THARIATHU KUNJITHOMMEN : അതിനുശേഷമുള്ള നിയമനങ്ങളെല്ലാം സമുദായ പ്രാതിനിധ്യതത്വമനുസരിച്ചാണോ നടത്തിയിട്ടുള്ളതു്?

MR. M. K. NILAKANTA AIYAR : അങ്ങിനെ തന്നെ നടത്തിയിരിക്കണം.

MR. THARIATHU KUNJITHOMMEN : അങ്ങിനെയാണെങ്കിൽ ഇത്രമാത്രം വ്യത്യാസം വരത്തക്ക നിലയിൽ നിയമനം നടത്തിയതു് എങ്ങിനെയെന്നു പറയാമോ?

MR. M. K. NILAKANTA AIYAR : അതിലേക്ക പല കാരണങ്ങളും കാണും.

MR. THARIATHU KUNJITHOMMEN : ഇങ്ങനെ സംഭവിച്ചതു് എന്തു കാരണത്താലാണെന്നു് പ്രത്യേകം അന്വേഷിക്കുമോ?

PRESIDENT : I suppose the honourable member might have seen the Appendix of Question 352. There you will find that the balance is on the other way—Jacobites are 18 and Marthomites 6.

MR. THARIATHU KUJINTHOMEN : മററുള്ള സിറിയൻ കത്തോ ലിക്കർക്ക് കൊടുക്കാൻ പാടില്ലാ എന്ന് വല്ല നിയമവുമുണ്ടോ? ഇതു കണ്ടിട്ട് അങ്ങനെ തോന്നിപ്പോകുന്നു.

MR. M. K. NILAKANTA AIYAR : അങ്ങനെ ഒരിക്കലുമില്ല.

MR. THARIATHU KUNJITHOMMEN : യഥാർത്ഥമായി അതു് എങ്ങി നെ സംഭവിച്ചു എന്നു അറിയുന്നതിനുവേണ്ടിയാണ് ഇങ്ങനെയുള്ള ഉപചോദ്യങ്ങൾ ചോദിക്കുന്നതു്.

Statement, by caste, of the clerks in the P. W. Department.

352 *MR. THARIATHU KUNJITHOMMEN: Will the Government be pleased to lay on the table a statement, by caste, of the clerks in the P. W. Department?

MR. M. S. DORASWAMI AIYANGAR : A *statement is laid on the table.

MR. THARIATHU KUNJITHOMMEN : പി. ഡബ്ളിയു. ഡിപ്പാർട്ടു മെൻറിൽ ആകെ ൨൪൪ ക്ലാർക്കന്മാർ ഉണ്ടെന്നു കാണുന്നു. അ തിൽ ൪൫ ക്രിസ്ത്യാനികളുള്ളതിൽ സിറിയൻ കത്തോലിക്കനായി ഒരാൾ മാത്രമേ കാണുന്നുള്ളു. നിയമനവിഷയത്തിൽ ഈ സമുദായത്തെ സംബന്ധിച്ചുമാത്രം ഇത്ര ഭീമമായ വ്യത്യാസം വരുന്നതിനുള്ള കാരണം എന്താണ്?

MR. M. S. DORASWAMI AIYANGAR ; These include also those appointed before the Public Service Recruitment Rules came into existence. All the appointments made after that are strictly in accordance with those rules.

MR. THARIATHU KUNJITHOMMEN : പബ്ളിക്ക് സർവീസ് കമ്മി ഷണരുടെ റൂൾസ് നടപ്പിൽ വന്നതിനു ശേഷമാണോ ഈ ഒരൊററ സിറിയൻ കത്തോലിക്കനെ നിയമിച്ചിട്ടുള്ളതു്?

MR. M. S. DORASWAMI AIYANGAR : മുൻപാണോ അതല്ലാ പിന്നീ ടാണോ എന്നുള്ള സംഗതി ഇപ്പോൾ പറയുവാൻ നിവൃത്തി യില്ല.

MR. THARIATHU KUNJITHOMMEN : അതിനെപ്പററി അന്വേഷി ക്കുമോ?

MR. M. S. DORASWAMI AIYANGAR : അന്വേഷിക്കാം.

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* *Vide* Appendix VI—page 717.

Construction of new tanks in South Travancore

353 *MR. D. FRANCIS: Will the Government be pleased to state the total number of estimates called for, for constructing new tanks in the taluks of Tovala, Agastisvaram, Kalkulam and Vilavankod for the use of the newly converted lands from 1-1-1110 to 1-1-1115?

MR. M. S. DORASWAMI AIYANGAR: Nil.

MR. M. SIVATHANU PILLAI: In view of the answer "Nil" may I know whether the newly converted lands can be cultivated without tanks or other irrigational facilities?

MR. M. S. DORASWAMI AIYANGAR; The newly converted lands can possibly be irrigated by the existing irrigational facilities. But no new tanks have been constructed because they will have to be distributed over a vast area and it is not possible.

MR. M. SIVATHANU PILLAI: Am I to understand from the answer that these newly converted lands are capable of being properly cultivated without these tanks?

MR. M. S. DORASWAMI AIYANGAR: If there is any irrigational difficulty in any portion of the lands the matter will be investigated upon and taken up and the question of constructing tanks will be then considered.

MR. M. SIVATHANU PILLAI: Then am I to understand that Government have received no representations to this effect from the ryots?

MR. M. S. DORASWAMI AIYANGAR: Every representation received from the ryots are being given due regard.

MR. C. JEBAMONY NADAR: May I know whether the want of tanks is not the chief cause for poor yield?

MR. M. S. DORASWAMI AIYANGAR: That may also be one of the reasons.

M. P. School building at Nadubhagom, Nedumudy.

354 *MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertala*): Will the Government be pleased to state:

(*a*) whether they have received any representation regarding the resolution for reconstruction of the M. P. School building at Nadubhagom, Nedumudy, Ambalapuzha;

(*b*) whether they have received any report from the Departmental Overseer regarding the reconstruction of the said school;

(*c*) if so, when was it received;

(*d*) what action has been taken on the report and the representation of the people of the locality; and

(*e*) whether the school is situated in a place where constant flood occurs?

MR. A. GOPALA MENON (*Director of Public Instruction*): (*a*) Yes.

(*b*) Yes.

(*c*) 3-7-1936.

(*d*) The necessary repairs to the school building have been carried out.

(*e*). Yes.

Quilon Town Police Station.

355 *MR. S. NARAYANA PILLAI (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(*a*) whether any constables have been suspended, dismissed or degraded in the Quilon Town Police Station in 1115; and

(*b*) if the answer to part (*a*) is in the affirmative, the names and numbers of the constables, the nature of the offence they were charged with and the punishment awarded to each?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (*a*) Yes.

(*b*) A list containing the information is laid on the table.

MR N. NARAYANA KURUP: May I know from the Inspector General of Police why different kinds of punishments are meted out to different persons for the same kind of offence?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY; That is due to the degree of the offence committed by the delinquents.

Economic Botanist.

356 *MR. K. NARAYANAPERUMAL NADAR (*Thovala* cum *Agastisvaram*): Will the Government be pleased to state whether it is a fact that the headquarters of the Economic Botanist carrying out paddy breeding experiments in Thirupathisaram Farm were shifted to Kayamkulam?

MR. K. R. NARAYANA AIYAR (*Director of Agriculture and Fisheries*) Yes.

MR. K. NARAYANA PERUMAL NADAR: May I know why the headquarters of the Economic Botanist was shifted to Kayamculam?

MR. K. R. NARAYANA AIYAR: For Selecting suitable strains of paddy for Onattukorai.

Federation Special Officer.

357 *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state whether the Federation Special Officer is doing at present, any work?

MR. M. K. NILAKANTA AIYAR: Yes.

Police Secret Fund.

358 *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state whether there is a fund called 'Police Secret Fund'?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: No.

MR. KANNANTHODATH JANARDANAN NAIR; May I know whether there is a fund called Police Award Fund?

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* *Vide* Appendix VII—page 718.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: No, Sir. But for the enlightenment of the honourable member and the House I may say that there is a special rewards allotment.

Complaint against a Police Constable.

359 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether one Chelliah Nadar of Vandavilla-pattu in Neendakara (B) pakuthy, Agastisvaram taluk sent a complaint in Meenam 1115 to the Inspector-General of Police about one Parameswaran Pillai, a constable in the Eattamozhy outpost;

(b) whether any inquiry was made into the truth of the complaint by any police officer; and

(c) the nature of punishment inflicted upon the constable?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) Yes.

(b) Yes; by the local Assistant Superintendent of Police

(c) Disciplinary action was taken departmentally.

Degradation of Mr. M. M. George.

360 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state whether Mr. M. M. George B. A., B. L., while acting as A. S. P. Nagercoil, was degraded to an Inspector's post in 1115?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: He has been reverted to his permanent appointment.

Police Inspector of Edalakudy.

361 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether at any time in 1115 or 1114 the Inspector of Edalakudy was suspended or asked to take leave; and

(b) if so, the name of the officer?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) No.

(b) This does not arise in view of the answer to (a).

Death of one Ramalingom.

362 ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(a) whether one Ramalingom an undertrial prisoner in the Puthenchantai lock-up, met his death in April 1940; and

(b) the reason for his death?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) The man referred to in the question died on 29th March 1940.

(b) He died of heart failure on 29-3-1940 as a result of coronary thrombosis.

MR. K. NARAYANAPERUMAL NADAR: With regard to the death of late Ramalingom may I know whether any post-mortem was held over his body?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Certainly. You see that from the medical language I have used in my answer.

MR. K. NARAYANAPERUMAL NADAR: May I know whether any mark of injury was found on his body?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Absolutely no Sir.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, on a point of order is it parliamentary to address an Honourable member of this House "You see"?

PRESIDENT: That is only rhetorical.

President-Chairman of Village Panchayats and Bench Magistrates Courts.

363. ***MR. C. JEBAMONY NADAR** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state:

(*a*) whether there is any rule to the effect that President-Chairman of Village Panchayats and Bench Magistrates Courts should usually be nominated from members of the Bar of not less than 10 years' standing;

(*b*) whether the Government will be pleased to place on the table a copy of the rules re: nomination of persons to that office; and

(*c*) whether they will be pleased to place on the table a list showing the names and qualifications of all the President-Chairmen of V. P. and B. M. Courts appointed during the current year?

MR. M. K. NILAKANTA AIYAR: (*Chief Secretary to Government*):

(*a*) No.

(*b*) A copy* of the rules is placed on the table.

(*c*) A list† is placed on the table.

Seniority list of the Vaidya Kalanidhies.

364. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara* cum *Trivandrum*): Will the Government be pleased to lay on the table a seniority list of the Vaidya Kalanidhies who are employed in the Ayurveda Department showing their caste, date of their passing the examination, date of first appointment in the Department, present post and pay with allowance, if any?

MR. G. NARAYANAN TAMPI (*Secretary to Government*): A list‡ furnishing the information is laid on the table.

**Vide* Appendix VIII (a) Page 718.
†Vide Appendix VIII (b) Page 719.
‡Vide Appendix IX Page 720.

Volunteers in the Anchal Department.

365. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to lay on the table a list of the volunteers in the Anchal Department who have been confirmed since 1114 showing their educational qualifications, date of security, and date of confirmation?

MR. V. R. SANKARANARAYANA PILLAI (*Secretary to Government*): The *list is laid on the table.

Volunteers in the Anchal Department.

366. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*): Will the Government be pleased to state:

(*a*) the number of volunteers in the Anchal Department as it stood on the last day of 1114; and

(*b*) whether new volunteers were recruited in the year 1115 and if so, how many?

MR. V. R. SANKARANARAYANA PILLAI (*Secretary to Government*):

(*a*) 173.

(*b*) Yes. 40 volunteers were recruited in 1115.

MR. K. P. KOCHUKORA THARAKAN: ൧൧൧൪-ൽ ൧൭൩ വാളൻറിയേഴ്സ ഉണ്ടായിരിക്കെ ൧൧൧൫-ൽ നാല്പതുപേരെക്കൂടെ കൂടുതലായി എടുക്കാൻ കാരണമെന്താണ്?

MR. M. K. NILAKANTA AIYAR: റണ്ണേഴ്സിനെക്കൂടി ഉൾപ്പെടുത്തിയാണ് ഈ നാല്പതുപേരെ എടുത്തിട്ടുള്ളൂ.

Shifting the High Court.

367. ***MR. S. GOVINDA PILLAI** (*Chirayinkil cum Nedumangad*): Will the Government be pleased to state:

(*a*) whether there is any idea of shifting the High Court from its present site to the Arts College premises;

(*b*) if so, have the Government considered the great inconvenience to the lawyers and the public, such a measure would involve and

(*c*) why the High Court should at all be shifted from its present site?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*):

(*a*) No.

(*b*) and (*c*) Do not arise in view of answer to (*a*).

Appointments of Magistrates.

368. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether orders have been passed by Government sanctioning the appointment as Magistrates of duly qualified Sub-Registrars; and

**Vide* Appendix X Pages 721—722

(*b*) if the answer to part (*a*) is in the affirmative, the number of appointments so made?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*):

(*a*) The inclusion of the names of Sub Registrars who are qualified in the list of eligibles has been ordered.

(*b*) Nil.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the number of Sub-Registrars duly qualified to be appointed as Magistrates?

MR. M. K. NILAKANTA AIYAR: 11.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know when the order referred to in the answer to part (*a*) was passed?

MR. M. K. NILAKANTA AIYAR; 2 years ago.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know the reason why none of these qualified persons have not yet been appointed?

MR. M. K. NILAKANTA AIYAR: The appointments are made with reference to seniority. Their turn will come sooner or later.

MR. C. JEBAMONY NADAR: May I know whether there is not a rule that Magistrates should be appointed from among the practising lawyers?

MR. M. K. NILAKANTA AIYAR: There is no such rule.

Malayalam Schools in the Kalkulam, Vilavankod and Neyyattinkara taluks.

369. **MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*): Will the Government be pleased to place on the table a list of Primary schools and Malayalam Middle schools in the Kalkulam, Vilavankod and Neyyattinkara taluks from 1090 M. E., showing the number owned by Government, by Christians, by Hindus and by Mohammedans?

MR. A. GOPALA MENON (*Director of Public Instruction*):

Government consider that the time and labour involved in collecting the information will be out of proportion to its possible utility.

MR. T. C. KESAVA PILLAI: ഈ ചോദ്യത്തിനുത്തരം പറയുന്നതുകൊണ്ട് പ്രയോജനമില്ലാ എന്നാണ ഇവിടെ പറഞ്ഞിരിക്കുന്നതു്. എന്നാൽ ഈ താലൂക്കിൽ കഴിഞ്ഞ ഏതാനും വർഷങ്ങളായി ഗവണ്മെൻറു പള്ളിക്കൂടങ്ങൾ കുറഞ്ഞുവരികയും ക്രിസ്ത്യാനികളുടെ പള്ളിക്കൂടങ്ങൾ കൂടിവരികയും ചെയ്യുന്നുണ്ട്. ക്രിസ്ത്യാനികൾക്കല്ലാതെ മററു മതത്തിൽ വിശ്വസിക്കുന്നവർക്ക് പള്ളിക്കൂടങ്ങൾ സ്ഥാപിച്ചു നടത്തുന്നതിന് സൗകര്യപ്പെടുന്നില്ലാ എന്നുള്ള വിവരം ഗവണ്മെൻറിനറിയാമോ?

MR. A. GOPALA MENON: അങ്ങിനെയുള്ള യാതൊരറിവും ഗവണ്മെൻറിനില്ല.

MR. T. C. KESAVA PILLAI: ഈ താലൂക്കിലുള്ള ൯൦ ശതമാനം പള്ളിക്കൂടങ്ങളും ക്രിസ്ത്യാനികളുടെ വകയാണെന്നുള്ള വിവരം ഗവണ്മെൻറിനറിയാമോ?

MR. A. GOPALA MENON : അങ്ങനെ യാതൊരറിവും ഇല്ല.

MR. T. C. KESAVA PILLAI : പറയുന്നതു ശരിയാണെന്നു ഗവണ്മെൻറിനു ബോദ്ധ്യപ്പെട്ടാൽ അതിനെപ്പററി ദയവായി പര്യാലോചിച്ചു മേലാൽ വില്ലേജ് പഞ്ചായത്തുകളുടെ നേതൃത്വത്തിൽ പള്ളിക്കൂടങ്ങൾ ഏർപ്പെടുത്തുന്നതിനു നടപടി നടത്തുമോ?

MR. A. GOPALA MENON : മേലാൽ വരുന്ന പ്രവൃത്തികൾ ഇന്നവിധത്തിൽ ചെയ്തുകൊള്ളാമെന്ന് ഇപ്പോൾ ഉറപ്പുപറയുവാൻ നിവൃത്തിയില്ല.

MR. T. C. KESAVA PILLAI : മററാളുകൾ മതപരമായ ആവശ്യത്തെ മുൻനിറുത്തി പള്ളിക്കൂടങ്ങൾ നടത്തിവരുന്നതുകൊണ്ട് ഞങ്ങളുടെ കൊച്ചുകുഞ്ഞുങ്ങൾ മററു മതക്കാർക്കു വശംവദരാകാതിരിക്കാൻ സൂക്ഷിക്കേണ്ടതത്യാവശ്യമാണ്.

MR. C. V. CHANDRASEKHARAN (*Pro-vice Chancellor*) : Sir, on a point of order. The member is making a speech,

PRESIDENT : No, no He is putting a wrong question

MR. T. C. KESAVA PILLAI : ഒരു കൂട്ടർക്ക് പള്ളിക്കൂടങ്ങൾ കുറയുകയും മറെറാരു കൂട്ടർക്ക് അതു വർദ്ധിക്കയും ചെയ്യുന്നതുകൊണ്ടാണ് അതിനെപ്പററി പ്രസ്താവിക്കാനിടയായിട്ടുള്ളതു്. അതുകൊണ്ടു സമുദായപ്രാതിനിധ്യതത്വമനുസരിച്ച് ഉദ്യോഗവിതരണം നടത്തുന്നതുപോലെ പ്രാഥമികവിദ്യാലയങ്ങളുടെ സ്ഥാപനവിഷയത്തിലും പ്രവർത്തിക്കുന്നതിന് ഗവണ്മെൻറു ശ്രദ്ധിക്കണം. അതാതു പകുതികളിലുള്ള പള്ളിക്കൂടങ്ങൾ അവിടത്തെ വില്ലേജ് പഞ്ചായത്തിനു വിട്ടുകൊടുത്താൽ മതിയാകുന്നതാണ്.

Clerks and Head Clerks in the Judicial Department.

370. **MR. G. VELU PILLAI** (*Karunagapally* cum *Kartikapally*): Will the Government be pleased to state the number of clerks and Head clerks in the Judicial Department who have been granted extension of service in 1114 and 1115?

MR. PUTHUPALLY S. KRISHNA PILLAI (*Legal Remembrancer to Government*): A* statement showing the information required is laid on the table.

Plague.

371. **MR. G. VELU PILLAI** (*Karunagapally* cum *Kartikapally*): Will the Government be pleased to state:

(*a*) the number of deaths due to plague in 1115; and

(*b*) the amount spent by Government in plague-prevention work?

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* *Vide* Appendix XI. Page 723.

MR. G. NARAYANAN TAMPI (*Secretary to Government*): (*a*) Six.

*(*b*) The expenditure booked in the office of the Accountant-General up to the end of Meenom is Rs. 21,408.

MR. G. VELU PILLAI: Sir, may I know whether there is plague anywhere in the State at present?

MR. G. NARAYANAN TAMPI: No, Sir.

MR. G. VELU PILLAI. May I know the districts in which these six deaths occurred?

MR. G. NARAYANAN TAMPI: The Quilon District.

MR. J. E. A. PEREIRA: May I know how long ago it was?

MR. G. NARAYANAN TAMPI; The last case occurred on the 15th Kumbhom.

MR. K. P. KOCHUKORA THARAKAN: ഇനാകുലേഷൻ കഴിഞ്ഞതിനു ശേഷമാണോ മരണം സംഭവിച്ചിട്ടുള്ളത് ?

MR. G. NARAYANAN TAMPI: അല്ല.

MR. P. SIVARAMA PILLAI: Sir, may I know whether the actual expenditure incurred exceeds this Rs. 21,408?

MR. G. NARAYANAN TAMPI: No, Sir.

MR. J. E. A. PEREIRA: Sir, since the last death was on the date mentioned do not the Government think that it is sufficient time to relax the measures taken to combat plague?

MR. G. NARAYANAN TAMPI: Sir, the question has been raised on the assumption that there should be some sort of co-rrelation between the number of deaths that take place, on the one hand, and the preventive measures, on the other. The amount utilised is for the purpose of adopting the necessary preventive measures, which cannot be relaxed without serious risk.

MR. J. E. A. PEREIRA: Sir, I am speaking from the monetary point of view. Government are not aware of the inconvenience caused by the enforcement of these measures to the trade of this country?

MR. G. NARAYANAN TAMPI: Yes, Sir Government are sparing no effort to relax these measures as far as possible, with due regard to the actual requirements of the situation.

MR. J. E. A. PEREIRA: Sir, does the situation warrant the continuance or does it allow the relaxation in the measures adopted?

MR. G. NARAYANAN TAMPI: No, Sir. The preventive measures have to be continued for some time. The infection should spread over lest the whole of Travancore, which is admittedly one of the most populous countries in the world. Further there is the likelihood of a recrudescence of plague with the onset of the monsoon.

MR. P. S. MAHAMED: പ്ലേഗ് ആദ്യം ഒരു സ്ഥലത്തുണ്ടാകാൻ പോകുന്നു എന്നു എങ്ങനെ മനസ്സിലാക്കാൻ സാധിക്കും ?

MR. G. NARAYANAN TAMPI : പ്ലേഗിനെപ്പററിയുള്ള പൂണ്ണവിവരങ്ങൾ പബ്ളിക്ക് ഹെൽത്ത് ഡയറക്ടർ അവർകൾ ലഘുലേഖകളായി പ്രസിദ്ധപ്പെടുത്തിയിട്ടുള്ളതിനും പുറമെ ഹെൽത്തു് എഡ്യൂക്കേഷൻ ആഫീസർ പല ദിക്കുകളിലും പ്രസംഗങ്ങൾ മുഖേന പൊതുജനങ്ങളെ മനസ്സിലാക്കിയിട്ടും ഉണ്ടു്. സാമാന്യമായി പറയുന്ന പക്ഷം എലികളെ ബാധിക്കുന്ന ഒരു തരം ചെള്ളുകൾ മുഖാന്തരം ഈ രോഗം മനുഷ്യക്കു പകരുന്നു.

MR. P. S. MAHAMED : എലി ചാകുന്ന സ്ഥലത്തു് പ്ലേഗു ഉണ്ടാകുന്നു എന്നാണൊ വിചാരിക്കേണ്ടതു് ?

MR. G. NARAYANAN TAMPI : പ്രത്യക്ഷമായ കാരണംകൂടാതെ ധാരാളം എലികൾ പെട്ടെന്നു് അടിക്കടി ചത്തു വീഴുകയാണെങ്കിൽ അവിടെ പ്ലേഗു ഉണ്ടാകാൻ പോകുന്നു എന്നു വിചാരിക്കാൻ കാരണമുണ്ടു്.

Vishavaidyasalas in the Kartikapally taluk.

372. ***MR. G. VELU PILLAI** : Will the Government be pleased to state :

(*a*) the number of Vishavaidyasalas in the Karthikapally taluk recognised by Government ;

(*b*) whether there is a Vishavaidyasala at Haripad recognised by Government ;

(*c*) the date when the recognition was given ;

(*d*) whether the inhabitants of the Kartikapally taluk have been making representations to Government every year for the purpose of giving grant to the Vishavaidyasala ; and

(*e*) whether Government are aware that the Vishavaidyan belongs to an unrepresented community ?

MR. G. NARAYANAN TAMPI : (*a*) One.

(*b*) Yes.

(*c*) 21st November 1930.

(*d*) Yes.

(*e*) Yes.

MR. G. VELU PILLAI : Sir, with reference to part (d) of the answer may I know what action have Government taken on these representations ?

MR. G. NARAYANAN TAMPI : The representations are all under consideration.

MR. G. VELU PILLAI : May I know whether Government is convinced of the necessity of a *visha vaidyasala* in the Karthikapally taluk ?

MR. G. NARAYANAN TAMPI : There is already such a vaidyasala in that taluk. I may submit for the information of the honourable members of this House that out of the 27 recognised visha vaidyasalas in the State, as many as 25 are getting grants.

MR. G. VELU PILLAI : May I know whether Government are aware that Kartikapally taluk is very famous for its snakes ?

MR. G. NARAYANAN TAMPI: No special claims for the taluk in that direction have been brought to the notice of Government.

MR. G. VELU PILLAI: Will the Government be pleased to make enquiries?

MR. G. NARAYANAN TAMPI: Yes, Sir.

MR. G. VELU PILLAI: Are there more than one vaidyan there?

MR. G. NARAYANAN TAMPI: Government are not aware.

MR. M. SIVATHANU PILLAI: Sir, may I know what is the special peculiarity of Haripad to possess a visha vaidyasala?

MR. G. NARAYANAN TAMPI: There seems to be no special reason.

MR. M. SIVATHANU PILLAI: May I know whether the visha vaidyasalas are distributed throughout the length and breadth of the country?

MR. G. NARAYANAN TAMPI: These Vaidyasalas are located in various taluks.

Capital punishment by the High Court.

373. ***MR. G. VELU PILLAI**: Will the Government be pleased to state the number of criminal cases in which capital punishment has been either given or confirmed by the High Court in 1113, 1114 and 1115 respectively?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*):

	1113.	1114.	1115.
(*a*) No. of Criminal cases in which capital punishment has been given by the High Court.	1	1	Nil.
(*b*) No. of criminal cases in which capital punishment has been confirmed by the High Court.	Nil.	1	Nil.

MR. G. VELU PILLAI: May I know whether the Government have considered the abolition of capital punishment?

MR. PUTHUPALLY S. KRISHNA PILLAI: No, they have not considered that.

MR. G. VELU PILLAI: May I know whether in many of the American States they have abolished capital punishments?

PRESIDENT: In three of the American States they have resorted to capital punishment after abolition.

MR. P. NARAYANA PILLAI: May I know the number of cases set aside by the High Court?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I claim notice.

The answer is furnished here that there is one case in 1114 which has been confirmed by the High Court. All cases of capital punishment will have to be confirmed by the High Court and sanctioned by His Highness the Maharaja. There is only one case and that in 1114, which has been confirmed by the High Court. Confirmed implies confirmation by the High Court.

Police station at Chavara.

374. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state whether there is a police station at Chavara?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: There is a Police outpost at Chavara.

MR. KANNANTHODATH JANARDANAN NAIR: Sir, in view of the fact that there are more than three factories and 10,000 labourers in Chavara, may I know whether Chavara does not require a police station?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: In view of the fact that there are police stations on either side at Quilon and Karunagapally, I do not think a police station at Chavara necessary.

MR. KANNANTHODATH JANARDANAN NAIR: May I know the distance between Chavara and Quilon?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Well that is a matter which you and I know. The distance is over 8 miles.

MR. KANNANTHODATH JANARDANAN NAIR: May I know the distance between Karunagapally and Chavara?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Three or four miles.

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether Chavara does not need even a charging station?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: At the moment I think it is not needed.

MR. KANNANTHODATH JANARDANAN NAIR: May I know the strength of an outpost?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: A few constables 1 Head Constable and 3 P. C's. or 4 P. C's. according to the importance of the outpost.

Candidates of backward communities who appeared for the M. S. L. C., M. H. L. C., and E. S. L. C. Examinations.

375. ***MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state the number of candidates from each of the backward communities of Pulaya, Paraya, Kurava and Vedar who appeared for the last M. S. L. C., M. H. L. C. and E. S. L. C., Examinations and the respective number that came out successful?

MR. A. GOPALA MENON: The *statement asked for is laid on the table, so far as it relates to the Middle School and High School Examinations. Information regarding the E. S. L. C. Examination of 1940 is not available at present.

Grouping of Communities by the Census Commissioner.

376. ***MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*): Will the Government be pleased to state whether the Census Commissioner has made definite proposals to group the various communities in the matter of appointments etc.?

MR. M. K. NILAKANTA AIYAR: No.

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* *Vide* Appendix XII Page 724.

Rice imported from Burma.

377. ***MR. VARKALA K. MADHAVAN** (*Chirayinkil cum Nedumangad*): Will the Government be pleased to state:

(*a*) the quantity of rice imported by them from Burma;

(*b*) the quantity so far sold out;

(*c*) whether they have incurred any loss in the transaction; and

(*d*) whether they have arranged for any further supply of rice from Burma?

MR. V. R. SANKARANARAYANA PILLAI: (*a*) 1,76,628 sacks.

(*b*) 1,60,444 sacks up to 19-10-1115.

(*c*) This could be answered only after the whole stock is sold out.

(*d*) No.

MR. M. SIVATHANU PILLAI: May I know whether, with reference to part (c), there could not be a loss on the transaction by the nature of it?

MR. M. K. NILAKANTA AIYAR: Yes. It is bound to be a loss.

MR. M. SIVATHANU PILLAI: May I know why Government have not demanded a further supply?

MR. M. K. NILAKANTA AIYAR: Government did not think it necessary.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know whether after 19-10-1115 the balance remaining unsold was also sold by the Government?

MR. M. K. NILAKANTA AIYAR: It is being sold every day.

Rice got down by Government.

378. ***MR. KANNANTHODATH JANARDANAN NAIR**: Will the Government be pleased to state:

(*a*) the total number of sacks of rice got down by Government as a price control measure;

(*b*) the cost price of each sack of rice;

(*c*) the price of each sack at the Government and other godowns;

(*d*) the market price of similar variety of rice at the time of the disposal of those sacks; and

(*e*) the number of sacks sold by Government up-to-date?

MR. V. R. SANKARANARAYANA PILLAI: (*a*) 1,76,628.

(*b*) The actual cost could be ascertained only after the entire stock is sold out.

(*c*) The selling price fixed is as follows:

First quality	B. Rs. 8-5-0.
Second quality	B. Rs. 8-4-0.

(*c*) The information is not available as the rice was sold during a period of five months.

(*d*) 1,60,444 up to 19-10-1115.

Supplies by the Stores Purchase Committee.

379. ***MR. VARKALA K. MADHAVAN**: Will the Government be pleased to state whether they have made any enquiries with the departments concerned as to whether the supplies by the Stores Purchase Committee are of the required quality?

MR. M K. NILAKANTA AIYAR : No. Contracts for supply of articles are usually settled only in consultation with the Heads of Departments concerned, the quality selected being what is suitable for the service at the most competitive price at which it is available.

Students of backward communities.

380. **MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*) : Will the Government be pleased to lay on the table a statement, by caste, of students of backward communities undergoing collegiate education?

MR. C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor*) : The statement asked for is laid on the table.

MR. KAVIYOOR K. KOCHUKUNJU? പിന്നോക്ക സമുദായത്തിൽ നിന്ന് കാളേജ് വിദ്യാഭ്യാസം ചെയ്യുന്ന വിദ്യാർത്ഥികളുടെ പട്ടിക തന്നിട്ടുള്ളതിൽ ഈഴവർ, വിശ്വകർമ്മജർ, നാടാർ മുതലായ സമുദായങ്ങളിലെ വിദ്യാർത്ഥികളെക്കൂടി ഉൾപ്പെടുത്തിക്കാണുന്നു. ഈ സമുദായങ്ങൾ പിന്നോക്കസമുദായത്തിൽ ഉൾപ്പെട്ടിട്ടുള്ളവരാണെന്നാണോ വിചാരിക്കേണ്ടതു?

MR. C. V. CHANDRASEKHARAN: Yes, Sir. There used to be two classes, the backward and the depressed. The expression depressed has now been dropped under the orders of Government and all these communities are now classified as "backward".

MR. T. T. KESAVAN SASTRI: "ഡിപ്രെസ്ഡ്" എന്ന പദം ഉപയോഗിച്ചുകൂടാ എന്നു ഗവണ്മെന്റു ആർഡറുണ്ടായിട്ടുണ്ടോ?

MR. C. V. CHANDRASEKHARAN : That is what I have just stated.

"Truth about Travancore."

381 ***MR. KANNANTHODATH JANARDANAN NAIR** : Will the Government be pleased to state :

(*a*) the number of copies of "Truth about Travancore" (by one Mr. Nilkan Perumal) purchased by the Government ;

(*b*) the cost the Government had to bear in purchasing the copies of that book ; and

(*c*) whether the copies were circulated among officials and non-officials ?

MR. M. K. NILAKANTA AIYAR : (*a*) Five hundred copies of the book were purchased.

(*b*) Rs. 188-8-0 (one hundred and eighty eight and annas eight only).

(*c*) The copies were distributed among officials, press representatives, libraries, schools and colleges.

MR. KANNANTHODATH JANARDANAN NAIR : Sir, May I know the necessity to circulate that book among officials, Press representatives, etc. ?

MR. M. K. NILAKANTA AIYAR : At the time, when the book was published false news were being disseminated by interested people with malicious motives. To counteract the evil effects of such propaganda, Government purchased these books and distributed them.

**Vide* Appendix XIII.

MR. KANNANTHODATH JANARDANAN NAIR: May I know how long the author of that book stayed in Travancore to understand the actual situation?

MR. M. K. NILAKANTA AIYAR: I do not know.

MR. M. SIVATHANU PILLAI: Sir, irrespective of the period of his stay here, may I know whether the facts stated in the book are true?

MR. M. K. NILAKANTA AIYAR: Yes.

MR. KANNANTHODATH JANARDANAN NAIR: In view of the fact that he is an outsider, who came for a short tour in Travancore, may I know how he can instruct Travancoreans as regards the truth about Travancore?

MR. M. K. NILAKANTA AIYAR: It is his own business.

MR. S. CHATTANATHA KARAYALAR: May I ask whether he is a Travancorean or not?

MR. M. K. NILAKANTA AIYAR: No.

MR. M. R. NARAYANA PILLAI: May I know whether the honourable Chief Secretary has read the book

MR. M. K. NILAKANTA AIYAR: Yes, I have.

Appendix I.

Vide Answer to Question No. 339.

Names of persons who have applied to the Government for removal of disqualifications arising out of conviction under Act I of 1114.

1. Mr. K. Kesavan, B. A., B. L., Kettumgasseril House, Quilon.
2. „ M. R. Madhava Warrier, B. A., LL. B., Chengannur.
3. „ V. K. Velayudhan.
4. „ M. K. Nilakantan, Adoor.
5. „ T. M. Chennan, B. A., B. L., Vakil, Vaikom.
6. „ P. K. Kumaran, M. A., B. L., Parur.
7. „ Ketamangalam Pappukutty, Vakil, Parur.
8. „ K. M. Bhoothalingam Pillai, B. A., B. L., Nagercoil.
9. „ V. Madhavan, Changanacherry.

Appendix II.

Vide Answer to Question No. 343.

Statement by caste of officers drawing Rs. 50 and above in the Education Department.

Brahmins	...	250
Nairs	...	140
Kammala	...	1
Nadar	...	2
Ezhava	...	16
Other Hindu	...	31
Muslim	...	5
Christians—Jacobite	...	31
Marthomite	...	62
Syriac Catholic	...	7
Latin Catholic	...	9
S. I. U. C.	...	5
Other Christians	...	1

Appendix III. (a)

Vide Answer to Question No. 345.

Statement of volunteers who were working in the Anchal Department before 1111 and who are now without employment.

Serial No.	Name.	Caste.	Date of entry.	The period during which employed. Year.	Month.	Days.	Taluk.
1	M. Parameswaran Pillai ..	Nair	19-1-107	4	0	18	Pathanapuram
2	G. Sivapalan ...	Ezhva	22-1-107	4	11	23	Quilon
3	George Daiel ...	Jacobite	25-1-107	1	9	0	Kunnathur
4	M. N. Krishnan Nair ...	Nair	30-1-107	3	4	2	Trivandrum
5	K. M. Kurien ...	Jacobite	1-2-107	Information not available.			Changanacherry
6	A. K. Kurien ...	Marthomite	1-2-107	3	1	13	Thiruvella
7	K. K. Issac ...	Jacobite	6-2-107	3	6	11	Muvattupuzha
8	N. I. Chacko ...	Syrian Catholic	7-2-107	2	9	28	Thiruvella
9	M. D. Kuruvila ...	Jacobite	8-2-107	5	0	7	Muvattupuzha
10	V. C. Kuriakose ...	do.	16-2-107	2	2	22	do.
11	T. C. Chacko ...	do.	28-2-107	0	7	17	Pathanamthitta
12	K. M. Varghese ...	Marthomite	31-2-107	2	1	23	Thiruvella
13	P. O. Itty Panicker ...	do.	6-3-107	3	4	18	Quilon
14	P. K. Sankara Pillai ..	Nair	12-3-107	4	7	17	Pathanapuram
15	P. Gopala Pillai ...	do.	18-3-107	2	8	4	Quilon
16	T. E. Philip ...	Jacobite	26-3-107	3	5	25	Thiruvella
17	C. K. Joseph ...	Syrian Catholic	1-4-107	1	10	3	Changanacherry
18	G. Devasahayam ...	Latin Catholic	21- -107	3	4	15	Agasteeswaram
19	Thankamma Gee Varghese ...	Jacobite	22-4-107	2	6	20	Karunagapalli
20	K. V. Idicula ...	do.	25-4-107	0	3	3	Pathanamthitta
21	V. G. Mathew ...	do.	29-4-107	1	7	4	Thiruvella
22	Chandy P. Koshy ...	do.	do.	1	6	9	Mavelikara

APPENDIX—III (a)—(*contd.*)

Serial No.	Name.	Caste.	Date of entry.	The period during which employed. Year.	Month	Days.	Taluk.
23	Ninan Thomas ...	Marthomite	29-4-107	0	5	8	Pathanamthitta
24	Mathai Panicker ...	Jacobite	do.	2	1	2	Quilon
25	Arulappa Pillai ...	Latin Catholic	20-5-107	3	0	0	Agasteeswaram
26	R. Bharathy ...	Ezhava	6-8-107	5	67	10	Chirayinkil
27	P. J. Cheriyan ...	Syrian Catholic	8-11-107	1		14	Changanacherry
28	K. I. Thomas ...	Marthomite	5-12-107	1	5	10	Kottayam
29	Ebenozer Pradeepam ...	South Indian United Church	4-1-108	2	6	11	Trivandrum
30	Kesavan Nadar ...	Nadar	21-1-108	2	3	11	Neyyattinkara
31	D. Kamalam ...	South Indian United Church	24-1-108	2	8	22	do.
32	Augustin Joseph ...	Syrian Catholic	31-1-108	0	3	24	Vycome
33	D. Thomas ...	South Indian United Church	11-6-108	2	5	3	Trivandrum
34	Thirunarayanan ...	Nadar	17-6-108	2	2	24	Vilavancode
35	N. Lekshmana Kamath ...	Other Hindu	4-3-109	3	1	12	Quilon
36	A. Vasu ...	Ezhava	26-6-109	0	9	9	do.
37	M. Gopalan ...	do.	15-7-109	0	3	13	Kunnathur
38	V. K. Karunakara Kaimal ...	Nair	26-7-109	1	10	27	Thiruvella
39	C. K. Sebastin ...	Syrian Catholic	21-10-109	0	0	5	Ambalapuzha
40	Shunmugha Nadar ...	Nadar	25-11-109	1	5	19	Agasteeswaram
41	Narayana Marar ...	Nair	30-12-109	2	7	27	Karunagapalli
42	M. C. John ...	Marthomite	1-4-110	0	1	20	Thiruvella

APPENDIX III (a)—(*concld.*)

Serial No.	Name.	Caste.	Date of entry.	The period during which employed.			Taluk.
				Year	Month	Days	
43	Chachyamma Thomas ...	Jacobite	4-4-110	0	2	15	Kottayam
44	Jaymathi Jesudasan ...	South Indian United Church	4-4-110	2	11	5	Trivandrum
45	N. Kuttan Pillai ...	Nair	4-4-110	1	3	5	Quilon
46	N. Nalini ...	Ezhava	5-4-110	1	8	6	Kunnathur
47	K. M. George ...	South Indian United Church	10-6-110	0	0	14	Changanacherry
48	L. Sundaram Iyer ...	Brahmin	15-6-110	...	1	18	Thodupuzha
49	T. J. Zacharia ...	Syrian catholic	25-6-110	...	Nil	...	Changanacherry
50	K. M. Aliamma ...	Marthomite	14-8-110	0	11	20	Thiruvella
51	L. Narayani Amma ...	Nair	22-8-110	2	0	10	Neyyattinkara
52	K. George ...	Jacobite	28-8-110	1	3	6	Kottayam
53	Luke Kaniamparambil ...	Syrian Catholic	25-11-110	0	4	11	Do.
54	C. N. Ipe ...	Marthomite	23-12-110	0	0	2	Thiruvella
55	K. Narayanan ...	Ezhava	28-12-110	0	8	16	Quilon

Appendix III (b).

Vide Answer to Question No. 345.

Statement of persons now in service who entered the Anchal Department since 1111 as clerks.

No.	Name.	Native place.	Caste.	Date of entry.	Period of their service.			Remarks.
					Year	Month	Date	
1	K. Raghavan	Nedunganda	Ezhava	9-6-1112	1	5	10	They were Non-Departmental Masters.
2	Mani Korah	Kanjikuzhy	Jacobite	Do.	1	9	8	

Appendix IV.

Vide Answer to Question No. 348.

Statement referred to in answer to part (e) of the Interpellation.

	Name of acting teacher.	Date of 1st entry.	The total period of acting service.			The date of relief.
			Y.	M.	D.	
1.	K. R. Raman Pillai ..	21-11-1097	3	5	22	6-7-1112
2.	T. S. Mammen ...	13-6-1100	1	7	29	5-8-1112
3.	S. Padmanabha Panickar	9-6-1099	1	2	9	13-8-1112
4.	K. Parameswaran Pillai.	21-10-1098	1	7	1	5-7-1112
5.	C. K. Kutty Amma ...	10-11-1105	0	7	4	12-8-1112
6.	T. N. Janakey Amma ...	19-1-1100	0	9	11	1-7-1112
7.	O. N. Lekshmikutty Amma ...	8-1-1099	1	9	0	4-8-1112
8.	Neelacanta Pillai Narayana Pillai ...	4-7-1102	0	6	11	29-6-1112
9.	K. Easwara Pillai ...	17-12-1102	2	7	5	5-8-1112
10.	K. Kalliyani Amma ...	10-2-1097	2	9	15	5-7-1112
11.	K. N. Lakshmi ...	19-1-1099	2	1	2	8-5-1112
12.	K. N. Gouri Amma ...	17-2-1104	1	0	27	12-7-1112
13.	C. I. Chacko ...	27-7-1101	0	4	13	16-6-1112

Appendix V.

Vide Answer to question No. 351.

Statement by caste of officers holding appointments carrying a pay of above Rs. 50 in the Electrical Department.

A. HINDU		
Brahmin	...	12
Nayar	...	35
Other specified Hindu	...	3
Kammala	...	Nil.
Nadar	...	1
Ezhava	...	2
Cheramar (Pulaya)	...	Nil.
Other Hindu	...	1
B. MUSLIM	...	Nil.
C. CHRISTIAN		
Jacobite	...	...
Marthomite	...	19
Syrian Catholic	...	2
Latin Catholic	...	1
S. I. U. Church	...	2
Other Christian	...	5

Appendix VI.

***Vide* Answer to Question No. 352,**

Statement by caste of the clerks in the Public Works Department.

Particulars af caste.		*No.*
A. HINDU		
1. Brahmin	...	76
2. Nair	...	76
3. Other specified Hindu	...	16
4. Kammala	...	5
5. Nadar	...	...
6. Ezhava	...	8
7. Cheramar (Pulaya)	...	...
8. Other Hindu	...	14
B. MUSLIM	...	4
C. CHRISTIANS		
1. Jacobite	...	18
2. Marthomite	...	6
3. Syrian Catholic	...	1
4. Latin Catholic	...	9
5. South India United Church.		6
6. Other Christians	...	5
Total	...	244

Appendix VII.

Vide Answer to Question No, 355.

Statement regarding Quilon Town Police Station.

Names and numbers of constables.	*Nature of offence.*	*Punishment.*
Ag. H. C. 1222 Govinda Pillai ...	Misbehaviour and official irregularities.	Suspended for 15 days from 23-3-1115.
4" C. C. 1345 Ayyappan ...	do.	Dismissed from force from 21-3-1115.
H. C. 838 Raman Pillai ...	do.	Suspended for 3 months from 8-8-1115.
2" C. C. 1437 Raghava Marar ...	do.	Reduced to 4th class and promotion barred for one year.
3" C. C. 2295 Joseph ...	do.	Reduced to 4th class and promotion barred for two years.
3" C. C. 873 Vasso Pillai...	do.	Dismissed from service
2" C. C. 1098 Sankara Pillai ...	do.	Dismissed from service.

Appendix VIII.—(a)

Vide Answer to Question No. 363.

R. O. C. No. 1441/37/Judl.

Rules for the recruitment of Honorary Judges of the Village Panchayat Courts passed by the Government of His Highness the Maharaja under date the 30th November 1937/15th Vrischigom 1113.

(i) Not less than one-half of the number of Judges of every Village Panchayat Court will be practising lawyers;

(ii) Ordinarily, gentlemen of personal worth, position, standing and repute will be appointed as Judges;

(iii) The President of every Village Panchayat Court shall, as far as possible, be a retired Judicial or other Government officer who filled any responsible office, or a practising lawyer of not less than ten years' experience at the bar;

(iv) The President and Judge of every Village Panchayat Court shall be persons who reside or carry on business or have their occupation within the local limits of the Court or as near thereto as conveniently can be;

(v) No Judge shall take part in any case in which he is interested directly or indirectly; and

(vi) The appointments of President, and Judges of the Village Panchayat Courts will be made by Government after considering the recommendations made by the Division Peishkar concerned.

(By Order),

HUZUR CUTCHERRY, (Sd.) N. KUNJAN PILLAI,
Trivandrum, 30th November 1937. *Chief Secretary to Government.*

Appendix VIII (b).

Vide Answer to Question No. 363.

List showing the names and qualifications of President Chairmen of Village Panchayat and Bench Magistrates' Courts appointed in the year 1115 (up to 1-11-1115).

Name of court.	*Name of President Chairman.*	*Qualifications.*
Neyyattinkara	K. G. Narayana Pillai	B. A. Retired Tahsildar.
Kayencolam	N. Sankara Pillai	B. A. and F. L. examination.
Padmanabhapuram	R. S. Subramonia Pillai	Studied up to School Final Class and was formerly President Chairman of the Court.

Appendix IX.

***Vide* Answer to Question No. 364.**

List of Vaidyakalanidhis in the Ayurveda Department.

Serial No.	Name.	Caste.	Date of passing the examination.	Date of first appointment in the Department.	Present post.	Pay with allowance if any
						Rs.
1	K. Parameswaran Pillai ...	Nair	1098	20-10-1099	Asst. Pandit, Ayurveda College.	40
2	C. Kunjulekshmi Amma ...	Nair	1099	25-1-1101	Asst. Vaidya, Ayurveda Hospital.	25
3	K. A. Raghavan Pillai —	Nair	1103	15-2-1108	Do. Do.	25
4	L. Bhagavathy .	Nulaya	1101	29-12-1103	Asst. Vaidya, Ayurveda Pharmacy.	25
5	C. K. Keralan ...	Ezhava	1102	10-12-1110	Asst. Pandit, Ayurveda College.	24
6	K. Sukumaran ...	Ezhava	1106	15-11-1109	Asst. Vaidyan, Ayurveda Hospital.	23
7	A. P. Sankara Pillai ...	Nair	1099	15-6-1113	Asst. Pandit, Ayurveda College.	22
8	V. P. Kunjan Pillai ...	Nair	1102	24-8-1114	Curator, Botanical Garden.	21
9	V. Bhargavan ...	Ezhava	1110	12-11-1114	Asst. Pandit, Ayurveda College.	20
10	M. J. Philip ...	Marthomite	1108	12-2-1115	Storekeeper, Ayurveda Pharmacy.	20
11	N. K. Gopala Panicker ...	Nair	1111	14-6-1115	Asst. Vaidyan Ayurveda Hospital.	20
	K. K. Govindan (Acting) ..	Ezhava	1109	7-5-1115	Asst. Vaidyan Ayurveda Pharmacy.	20
12	K. Subhadra Amma ...	Nair	1104	1-10-1108	Compounder, Ayurveda Hospital.	17
13	N. Padmanabha Kurukkal...	Other Hindu	1104	16-2-1109	Temp. Vaidyan, Ooruttampalam Dispensary	20
14	K. Sankara Pillai ...	Nair	1104	1-2-1110	Compounder, Ayurveda Hospital.	14
15	B. Janaki Amma ...	Nair	1103	23-9-1110	Nurse, Ayurveda Hospital.	14
16	S. Regunatha Iyengar ...	Brahmin	1109	1-4-1113	Compounder, Do.	13
	N. Kesavan (Acting) ...	Ezhava Vathi	1109	16-3-1115	Do. Do.	12
17	J. Thomas ...	Latin Christian	1108	27-4-1115	Do. Ooruttampalam Dispensary.	12

Appendix X.

Vide Answer to Question No. 365.

Clerk volunteers who have been confirmed, since 1114.

Serial No.	Name.	Qualifications.	Date of deposit of security.	Date of Confirmation	Remarks.
1	P. K. Keralavarma Raja	E. S. L. C. Anchal Test.	17-7-1102	1-1-1114	
2	Lizzie Isaaiah	B. A. do.	6-12-1107	1-1-1114	
3	Yegnanarayana Iyer	B. A. do.	13-7-1110	1-1-1114	
4	M. N. Krishna Pillai	E. S L. C. do.	14-7-1102	4-2-1114	
5	M. M. Sosamma	do. do.	18-1-1107	4-2-1114	
6	M. V. Varghese	Intermediate do.	5-3-1107	10-2-1114	
7	N. J. Mathew	Exempted. Exempted.	2-9-1106	1-4-1114	Non-departmental masters.
8	Mani Kora	do. do.	10-12-1109	1-4-1114	
9	K. Raghavan	do. do.	20-11-1105	23-7-1114	
10	P. K. Ponnan	E. S. L. C. Anchal Test.	21-3-1101	1-11-1114	
11	K. Velayudhan	do. do.	3-10-1102	do.	
12	P. K. Gopalan	do. do.	15-3-1103	do.	
13	T. K. Gopala Panicker	do. do.	3-2-1104	do.	
14	R. Devaraja Iyer	do. do.	17-1-1107	do.	
15	M. M. Koshy	do. do.	4-2-1111	do.	
16	N. Krishna Iyer	do. do.	13-7-1110	do.	
17	K. Balakrishnan Chettiar	Intermediate do.	27-10-1106	23-12-1114	

Appendix X.—(*contd.*)

Serial No.	Name.	Qualifications.	Date of deposit of security.	Date of Confirmation.	Remarks.
18	V. N. Ramakrishna Pillai	E. S. L. C. Anchal Test	30-10-1102	27-2-1115	
19	K. Parameswaran Pillai	do. do.	do.	do.	
20	P. Velukutty Pillai	do. do.	19-2-1104	do.	
21	P. E. Abraham	do. do.	7-11-1104	2-3-1115	
22	R. Aundy Pillai	do. do.	8-9-1106	do.	
23	P. S. Krishnan Nair	B. A. do.	26-12-1111	7-3-1115	
24	H. Sankaranarayana Iyer	E. S. L. C. Exempted	17-4-1106	2-6-1115	
25	Bhaskaran Moothathu	do. Anchal Test	3-11-1103	13-10-1115	
26	K. Zacharia	do. do.	2-12-1103	do.	
27	K. Balakrishna Pillai	do. do.	2-2-1106	do.	
28	M. O. Oonnittan	do. do.	7-5-1106	do.	
29	T. M. Cherian	do. do.	1-6-1106	do.	
30	P. K. Vasudeva Panicker	do. do.	10-6-1106	do.	
31	Geevarghese Chacko	do. do.	13-10-1106	do.	
32	V. J. Anna	do. do.	28-10-1106	do.	
33	C. P. George	do. do.	19-12-1106	do.	
34	M. P. Philip	do. do.	17-1-1107	do.	

Appendix XI.

Vide Answer to Question No. 370.

Statement showing the number of Clerks and Head Clerks who were granted extension of service in the Judicial Department during 1114 and 1115.

Serial No.	Name of Court.	Head Clerks.		Clerks.	
		1114	1115	1114	1115
1	High Court ...	Nil	Nil	1	1
2	Subordinate Courts ...	5	9	28	24
	Total ...	5	9	29	25

Appendix XII.

***vide* Answer to Question No. 375.**

Statement showing the number of candidates of backward communities who appeared for and passed the Middle School and High School Examinations of 1940.

No.	Name of Examintion.	Pulaya.		Paraya.		Kurava.		Vedar.	
		No. appeared.	No. passed.	No. appeared	No passed.	No. appeared.	No. passed.	No. appeared.	No. passed.
1	High School Examination ...	20	....	4	...	7	2	...	...
2	Middle School do.	241	69	93	22	31	9	2	1

Appendix XIII.

Vide Answer to Question No. 380

Statement by caste of students of backward communities undergoing Collegiate education.

Community.	Arts College.	Science College.	Law College.	Training College.	Women's College.	Engineering College.	Institute of Textile Technology.	St. Berchman's College	Union Xian College.	C.M.S. College.	Scot Xian College.	Sanskrit College.	Tota
Salian	...	2	1	1	...	...	1	...	...	...	6	...	11
Nadar (Hindu)	2	6	8	4	...	2	...	...	...	...	9	...	27
Nadar (Xian)	...	...	3	...	...	...	...	...	...	...	...	...	3
Ezhava	41	55	10	4	25	7	3	20	19	11	5	19	219
Viswakarma	...	5	1	1	1	5	...	1	...	3	4	...	21
Sambavar (Xian)	...	...	...	...	1	1	...	...	...	...	...	...	2
Paraya (including Sambavar Hindu)	2	2	...	...	...	...	...	...	...	...	...	...	4
Miravan	1	3	...	...	...	...	...	...	...	...	...	...	4
Cheramar (Xn)	...	1	...	...	...	...	...	...	6	4	...	...	11
Ambattan	1	1	...	...	1	...	...	...	...	...	...	1	4
Krishnavagai	...	1	...	...	...	...	...	...	...	...	1	...	2
Vaniyan	...	4	...	...	...	...	...	...	1	...	2	1	8
Varnavar	...	1	...	...	...	...	...	...	...	1	1	1	4
Kuravan	1	...	...	...	...	...	...	...	...	...	...	...	1
Pulaya Cheramar (Hindu)	6	...	...	...	...	...	...	...	...	...	...	...	6
Sakiliyan	1	...	...	...	...	...	...	...	...	...	...	...	1
Paravan	1	...	...	...	...	...	...	...	...	1	...	...	2
Veerasivar	1	...	...	...	...	...	...	...	...	...	...	...	1
Yadava Edaya	1	...	...	...	1	...	...	...	...	...	2	...	4
Velan	...	...	...	...	...	...	...	...	...	...	1	...	1
Kudumi	...	...	...	...	...	...	...	1	...	...	...	...	1
Arayan	...	...	...	...	...	...	...	1	1	...	...	1	3
Kaniyan	...	...	...	...	1	...	...	2	...	...	...	1	4
Total	59	81	18	10	30	15	4	25	27	20	31	24	344

UNSTARRED QUESTIONS AND ANSWERS

Thekke Kollengode Bridge.

19. **MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) the year in which the bridge known as the Thekke Kollengode bridge in the Neyyattinkara taluk was constructed;

(*b*) whether the above bridge has collapsed;

(*c*) if so, the number of persons injured, and the number that died on account of the collapse of the bridge;

(*d*) the reason for the collapse of that bridge; and

(*e*) whether anyone from the P. W. D. has enquired into the condition of that bridge since 1110 and if so, the person who conducted the enquiry or inspection and the date on which it was conducted?

MR. M. S. DORASWAMI AIYANGAR: (*a*) The information is not traceable.

(*b*) and (*c*) The bridge did not collapse. What happened was that on 16-8-1939, a crowd of youngsters collected on the bridge to see fishing, when two loose planks supported by rusty iron rails slipped down under heavy load, as a result of which 7 or 8 persons were injured; but none died.

(*d*) In view of answer to (*b*) and (*c*), this does not arise.

(*e*) The bridge was inspected by the Sub-Division Officer Mr. K. Narayana Pillai on 23-3-1111 for scrutiny of the provisions in the estimate for its reconstruction which was prepared previously.

Water Traffic in Attimude.

20. **MR. THAMARAPALLIL KOCHUTHOMMEN**: Will the Government be pleased to state:

(*a*) whether they have any scheme in contemplation in the light of the irrigation and navigation report, by which they propose to make water traffic more safe in the place known as Attimude, in the Pamba river, during times of flood; and

(*b*) whether there are innumerable perils and casualities to which water traffic has been exposed in this dangerous place from time immemorial?

MR. M. S. DORASWAMI AIYANGAR: (*a*) Yes.

(*b*) Attimoodu route is dangerous for navigation during times of flood but no casualties on that score have so far been reported.

Maintenance and repair of bunds on the Pamba river.

21. **MR. THAMARAPALLIL KOCHUTHOMMEN**: Will the Government be pleased to state whether the annual maintenance and repair of some of the bunds erected by the Government on the southern bank of the Pamba river just down the Erapuzha bridge have been completely neglected in recent years and consequently serious breaches have occurred in some of them causing great apprehension to the people living in their neighbourhood?

MR. M. S. DORASWAMI AIYANGAR: No serious breaches have occurred and there has been no neglect on the part of the P. W. D.

Coir factories and cashewnut factories.

22. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether they have received any representation to the effect that coir factories and cashewnut factories worked with the aid of power or not should be declared factories under the Factories Act; and

(*b*) the action taken thereon?

MR. C. KUMARA DAS (*Director of Industries and Labour Commissioner*):

(*a*) Yes.

(*b*) The question has been taken up for consideration.

Krishikar Sanghom of Chempakaramanputhoor pakuthi.

23. **MR. M. SIVATHANU PILLAI**: Will the Government be pleased to state:

(*a*) whether they have received copy of resolutions passed at the meeting of the Krishikar Sanghom of Chempakaramanputhoor of the said pakuthi, Tovala taluk; and

(*b*) if so, what steps were taken on those resolutions?

MR. M. RAMACHANDRA RAO: (*a*) Yes.

(*b*) The matter is receiving attention.

Irrigation Committee for Nanjinad.

24. **MR. M. SIVATHANU PILLAI**: Will the Government be pleased to state;

(*a*) whether the Irrigation Committee for Nanjinad appointed by Government has begun to function;

(*b*) how many meetings they held so far, and how many irrigation works they recommended for execution with the total estimate thereof; and

(*c*) how many such works were executed with their respective amounts so far spent?

MR. M. RAMACHANDRA RAO: (*a*) Yes.

(*b*) Four meetings. 53 works (improvements and repairs to tanks) were decided to be taken up as per details given belew:—

(1) Works in progress 22 tanks Rs. 6,500.

(2) Works for which estimates have been sanctioned—26 tanks Rs. 16,500.

(3) Works for which estimates have not been sanctioned 4 tanks—Rs. 2,000.

(4) Other sanctioned works decided to be taken up this year during the 4th Meeting of the Committee from the savings under funded works.

Total works 53 Rs. 25,000.

(c) Arrangements for the execution of 47 works, 22 under item (1) and 25 under item (2) have been made by the P. W. D. Division Officer, Nagercoil.

The amount so far spent during the current year is Rs. 2,150.

Road branching from Therkulam to Suchindram.

25. **MR. M. SIVATHANU PILLAI**: Will the Government be pleased to state:

(a) whether the estimate for constructing a rivetment wall on the road branching from Therkulam to Suchindram was sanctioned;

(b) if so, when it was sanctioned; and

(c) what are the reasons for the delay in taking up the work?

MR. M. S. DORASWAMI AIYANGAR: (a) Yes.

(b) In 1114.

(c) Due to want of funds.

The P. W. D. Advisory Board.

26. **MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state:

(a) when was the P. W. D. Advisory Board constituted; and

(b) whether it has held any meeting and, if so, when?

MR. M. S. DORASWAMI AIYANGAR: (a) On 31-10-1939.

(b) Three meetings, the first on the 18th and 19th January 1940, the second on the 22nd and 23rd April 1940 and the 3rd on the 29th, 30th and 31st May 1940.

Bridge over the Alwaye river.

27. **MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state when the construction of the bridge over the Alwaye river is expected to be completed?

MR. M. S. DORASWAMI AIYANGAR (*Chief Engineer*): The Bridge has been completed.

Pallivasal Hydro-Electric Works.

28 **MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state when electric power from the Pallivasal Hydro-Electric works will be available for public consumption?

MR. M. K. NILAKANTA AIYAR: The supply of power to the various areas covered by the entire network is already available to the public.

Kudumbi Community in the Public Service.

29. **MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to lay on the table a statement of the number of applicants from the Kudumbi community for recruitment to the public service and the number of persons selected, if any?

DR. H. PARAMESWARAN (*Secretary in charge of the duties of the Public Service Commissioner*): No. No separate statistics are maintained with regard to applicants from the Kudumbi community, one of the 25 sub-divisions of the "Other Hindu" community.

Puduval registry holders in the Todupuzha taluk.

30. **MR. P. V. MATHAI CHEMPARATHY** (*Minachil* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether the Government have received any representation from the public of Todupuzha regarding the difficulties of the puduval land registry holders in paying the tharavila and other dues to the Government; and

(*b*) if so, what is the step taken by the Government?

MR. M. RAMACHANDRA RAO: (*a*) Yes.

(*b*) Necessary enquiries were made on the representation and it was recorded as the prayer contained therein was found to be impracticable and not in conformity with the Rules and the Acts in force now. All possible relief is being given under the Rules in all deserving cases.

Appointments in Public Service.

31. **MR. K. KUNJU PANICKAR** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state the list, by caste, of those who are still continuing in the service after the recruitment as per Recruitment Rules and those who could not get places in the service after the acting period had expired in the lower and intermediate divisions?

DR. H. PARAMESVARAN: The time and labour involved in collecting the information would be out of all proportion to its possible utility.

Appointments in Public Service.

32. **MR. K. KUNJU PANICKAR**: Will the Government be pleased to state whether the acting places secured in the service without the advice of the Public Service Commissioner give seniority to those candidates who are junior by the Commissioner's registration list prepared at first?

DR. H. PARAMESVARAN: (*a*) Yes, in the particular community register of the lower division and that till the 10th of April 1940.

(*b*) No. In the Intermediate division.

Access to the offices of the Munisiffs' Courts.

33. **MR. K. KUNJU PANICKAR**: Will the Government be pleased to state:

(*a*) whether the Government or the High Court have issued any orders prohibiting the registered clerks of the vakils from going to the rooms of clerks to collect information or file records in the Munsiffs' Courts of the State after 10 A. M. every day; and

(*b*) if there is no general order to that effect, whether there is any special order with reference to the Principal Munsiff's Court, Kottayam?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): (*a*) Rule 472 of the Civil Courts' Gide regulates the extent

of access which the registered clerks have in dealing with the Court subordinates. No other order has been issued either by the High Court or Government.

(*b*) No.

Thondara Bridge.

34. **MR. K. KUNJU PANICKAR** : Will the Government be pleased to state whether they have noted the dangerous condition of the southern quarter of the Thondara bridge at Tiruvalla in the M. C. road.

MR. M. S. DORASWAMY AIYANGAR : Yes ; and the necessary repairs have been carried out.

Chennithala Punja in Triperunthura pakuthi in the Mavelikara Taluk.

35. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state :

(*a*) whether any encroachments are being made by the owners of the neighbouring properties with respect to the channels in Chennithala *Punja* in Triperunthura *pakuthy* ;

(*b*) whether they have received any applications for the registry of poramboke lands in this *punja* in 1114 or 1115 ;

(*c*) if so, the number of such applications ;

(*d*) the number of such applications granted ;

(*e*) the number of such applications rejected ;

(*f*) whether any poramboke cases are registered with regard to the unlawful encroachments of poramboke lands in the said *punja* during the year 1114 or 1115 ; and

(*g*) if so, the number of such cases registered during those years ?

MR. M. RAMACHANDRA RAO : (*a*) Yes.

(*b*) Yes.

(*c*) 2 in 1114, 6 in 1115.

(*d*) Nil.

(*e*) 4.

(*f*) Yes.

(*g*) 6 in 1115.

Anchal Office at Chennithala.

36. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state :

(*a*) whether any action is taken for converting the Chennithala Anchal Office into a non-departmental Anchal Office ;

(*b*) whether business is transacted in that office regularly ; and

(*c*) whether that office is kept open during the specified hours ?

MR. M. K. NILAKANTA AIYAR : (*a*) No.

(*b*) Yes.

(*c*) Yes.

Police Out post at Chavara.

37. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state:

(*a*) whether any action is taken for converting the Police Out post at Chavara in the Karunagapally Taluk into a charging station; and

(*b*) whether there is any appreciable increase in the number of crimes committed at Chavara and the neighbouring places during the last three years?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY (*Inspector General of Police*): (*a*) No.

(*b*) No.

A road connecting the beach and the Quilon-Alleppey road at Chavara.

38. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state:

(*a*) whether there is any road connecting the beach and the Quilon-Alleppey road at Chavara in the Karunagapally Taluk; and

(*b*) whether any action is taken for opening such a road for the use of the large number of coolies and other people who daily go to the Ilmenite factories at that place?

MR. M. S. DORASWAMY AIYANGAR : (*a*) No.

(*b*) Yes, An estimate for opening a road from 10/5 Quilon-Alleppey road leading to the factories at Chavara is being prepared by the P. W. D.

Sanitation at Chavara.

39. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state:

(*a*) whether any sanitary arrangements are being made for the prevention of epidemic or other diseases among the large number of coolies working in the Monozite and Ilmenite factories at Chavara; and

(*b*) whether that place is in an insanitary condition at present?

MR. C. KUMARA DAS : (*a*) Yes.

(*b*) No.

Dispensary at Noornad.

40. **MR. P. NARAYANA PILLAI** : Will the Goverument be pleased to state:

(*a*) whether any action is taken for opening a dispensary at Noornad in Mavelikara taluk;

(*b*) if so, the steps taken for the same; and

(*c*) the distance between that place and the hospitals at Ad·or, Kayamkulam and Mavelikara respectively?

MR. G. NARAYANAN TAMPI (*Secretary to Government*) :

(*a*) and (*b*) Yes. The question was considered and it was ordered that it may lie over for the time being.

(*c*) Noornad to Adoor – 8 miles.
Noornad to Kayankulam—8½ miles.
Noornad to Mavelikara—11½ miles.

District Court at Mavelikara.

41. **MR. P. NARAYANA PILLAI** : Will the Government be pleased t state :

(*a*) whether any arrangements have been made for housing the District Court at Mavelikara ; and

(*b*) whether any private building is selected for the purpose ?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*a*) and (*b*) There is at present only the proposal for the establishment of a District Court at Mavelikara, to take effect from 1-1-1116, the necessary grant for which is to be moved at the budget session of the Legislature. Hence these do not arise.

Taxi cars in the State.

42. **MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state :

(*a*) the number of taxi cars in this State :

(*b*) the number of such cars in Trivandrum ; and

(*c*) the number of persons permitted to be taken in each trip ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY : (*Inspector-Ggneral of Police*) : (*a*) 239.

(*b*) 68.

(*c*) 4 or 5 according to the seating accommodation in the cars.

Disease of cocoanut trees.

43. **MR. P. NARAYANA PILLAI**) : Willthe Government be pleased to state :

(*a*) whether any steps are taken for ascertaining the total area in the State wherein cocoanut trees are in a diseased condition ; and

(*b*) if not, the reasons for the same ?

MR. K. R. NARAYANA AIYAR :

(*a*) No definite steps have been taken for ascertaining the total area in the State where in coconut trees are in a diseased condition.

(*b*) The expenditure involved will be prohibitive.

Munsiff-Magistrate's Court at Kayamkulam.

44. **MR. P. NARAYANA PILLAI** : Will the Government be pleased to state :

(*a*) whether they have received any representations from the people for the establishment of a Munsiff-Magistrate's Court at Kayamkulam ; and

(*b*) the action taken on the same ?

MR. PUTHUPALLI S. KRISHNA PILLAI : (*a*) Yes. One representation.

(*b*) The representation was recorded.

Factories in Travancore.

45. **MR. P. S. MUHAMED:** (*Quilon cum Kottarakara*): Will the Government be pleased to state whether the interests of the District factories have been always in conflict with big factory owners and exporters?

MR. C. KUMARA DAS: The question is vague and indefinite.

Emoluments to the employees of the Transport Department.

46. **MR. P. S. MUHAMED:** Will the Government be pleased to state the amount being disbursed every month as salary and pay of the officers and other employees of the Transport Department?

MR. K. SANKARAN: Rs. 19687-25-6.

Assistant Excise Commissioners.

47. **MR. P. S. MUHAMED:** Will the Government be pleased to state the number of Assistant Excise Commissioners and how many Muslims are among them?

MR. P. G. NARAYANAN UNNITHAN: (*Excise Commissioner*): Number of Assistant Excise Commissioner 10

Number of Muslims among them nil

Re-appointment of candidates appointed by the Public Service Commissioner.

48. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state whether there was a G. O. to the effect that candidates appointed on the advice of thePublic Service Commissioner and relieved of their duties withn 30days of their appointments are to be re-appointed irrespective of Rule45 of the Public Service Recruitment Rules which was then under operation?

DR. H. PARAMESWARAN: Yes.

Statement by caste of the Heads of Departments.

49. **MR. D. FRANCIS:** Will the Government be pleased to lay on the table a statement by caste of the Heads of Departments now in service?

MR. M. K. NILAKANTA AIYAR: The information can be obtained by a perusal of the Civil List.

Officers in the Public Health Department.

50. **MR. D. FRANCIS:** Will the Government be pleased to lay on the table a statement by caste of officers in the Public Health Department?

MR. M. K. GOPALA PILLAI: A state-ment* is laid on the table.

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* *Vide* Appendix A. page 738.

Appointments by the Public Service Commissioner.

51. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state the number of Nadars appointed in the intermediate and lower divisions of the public service during the first half of 1115?

DR. H. PARAMESWARAN: 4 in the Intermediate Division and 18 in the Lower Division.

Press Communique regarding the Mandakad Temple Festival.

52. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether in February or March 1940, they issued a Press Communique regarding the Mandakad Sirkar temple festival and the holding of a Christian Convention, in the neighbourhood of the temple, during the festival days; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they will be pleased to lay on the table a copy of the Press Communique?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) A copy of the Press Communique* is placed on the table.

Munsiffs among Nadars.

53. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state the number of Nadars among Munsiffs?

MR. PUTHUPALLI S. KRISHNA PILLAI: None.

Appointment of Latin Christians in the Anchal Department.

54. **MR. D. FRANCIS**: Will the Government be pleased to lay on the table the total number of Latin Christians appointed during the past four years ending with 30-12-1111 on Rs. 20 and above, both permanent and acting, with their names in the Anchal Department?

MR. M. K. NILAKANTA AIYAR: A † list containing the information is laid on the table.

Latin Christians in the Agricultural Department.

55. **MR. D. FRANCIS**: Will the Government be pleased to lay on the table the total number of Latin Christians appointed during the past four years ending with 30-12-1114 on Rs. 15 and above, both permanent and acting, with their names in the Agricultural Department?

MR. K. R. NARAYANA AIYAR: One—Mr. Elias, J. D'Cruz.

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*Vide Appendix B, page 739.

†Vide Appendix C, page 740.

Latin Christians in the Co-operative Department.

56. **MR. D. FRANCIS**: Will the Government be pleased to lay on the table the total number of Latin Christians appointed during the past four years ending with 30-12-1114 on Rs. 20 and above, both permanent and acting, with their names in the Co-operative Department?

MR. M. RAMACHANDRA RAO:

Mr. K. Maria Antony
Mr. Boniface M. Araujo. } 2 permanent.

Employees in the Transport Department.

57. **MR. P. S. MUHAMED**: Will the Government be pleased—

(1) to lay on the table the number of hands employed as office staffs and the number of hands employed in the Transport Department in various works other than in the office; and

(2) to state:

(*a*) the number of Muslims employed in the various works mentioned above; and

(*b*) the number of Muslims among the office staff in the Transport Department?

MR. K. SANKARAN: (1 and 2)

The member is referred to the answers at pages 100 to 105 Vol. XII No. 3 of the proceedings of the Sri Mulam Assembly.

Halting stations and the employees of the Transport Department.

58. **MR. P. S. MUHAMED**: Will the Government be pleased to lay on the table:

(*a*) a statement showing the number of halting stations and the names of those stations; and

(*b*) a statement showing the number of employees in each station with their designation and caste?

MR. K. SANKARAN: (*a*) It is not understood what the member means by halting stations. Every fare stage can be called a halting station, but no staff is on duty at such stations

(*b*) In view of the answer to part (*a*) this does not arise.

Appointmentment on the advice of the Public Service Commissioner.

59. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) whether any candidate appointed before the end of 1113 on the advice of the Public Service Commissioner as clerk on Rs. 20 to 25 was relieved of his duties within five days of his appointment; and

(*b*) if the answer to part (a) is in the affirmative, the number of hands so relieved showing the offices from where they were relieved?

DR. H. PARAMESWARAN: (*a*) Yes.

*(*b*) As far as information is available, there are only 2 cases:

1. Office of the Director of Public Instruction.
2. Office of the Executive Engineer, Irrigation Division, Quilon.
3. Office of the Assistant Inspectress of Schools, Perumbavoor.

Appointment by the Public Service Commissioner.

60. **MR. D. FRANCIS**: Will the Govern-ment be pleased to lay on the table a statement, by caste, of the total number of persons in service who were appointed as per the recommendation of the Public Service Commissioner during the last 2 years ending with Thai 1115 with names and date of appointment?

DR. H. PARAMESWARAN: The time and labour involved in collecting the information is out of all proportion to its possible utility.

Detention of persons under the Defence Act.

61. **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state the number of persons detained in the various jails of the State under the Defence of Travancore Rulestill 15th Edavam 1115?

MR. M. K. NILAKANTA AIYAR: 16.

Appointment of Magistrates.

62. **MR. P. S. MUHAMED**: Will the Government be pleased to lay on the table a statement, by caste, of the direct appointment of Magistrates made during 1113, 1114 and till the end of Medom in 1115?

MR. M. K. NILAKANTA AIYAR: A statement is laid on the table.

Registry of lands.

63. **MR. P. S. MUHAMED**: Will the Government be pleased to lay on the table a statement, by caste, showing the number of registry of lands comprising twenty or more acresof land or field to each individual?

MR. M. RAMACHANDRA RAO: The information could not be furnished as the period for which the statistics are required has not been specified.

Damage to the Chengannur-Mannar road.

64. **MR. THAMARAPALLIL KOCHUTHOMMEN**: Will the Government be pleased to state whether they are aware that the Chengannur-Mannar road *via* Pandanad has been badly damaged by the recent flood?

MR. M. S. DORASWAMI AIYANGAR: Yes.

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* *Vide* Appendix D. page 740.

Water channels in the Mavelikara Taluk.

65. **MR. P. NARAYANA PILLAI**: Will the Government be pleased to state:

(*a*) the number of water channels in the Chennithala *Punja* in Triperunthura *pakuthy*, Mavelikara taluk;

(*b*) whether any of these channels have been improved for the last ten years;

(*c*) if so, the nature of the work done; and

(*d*) whether any representations have been received from the people for improving any of these channels?

MR. M. S. DORASWAMI AIYANGAR: (*a*) There are two main and seven other channels.

(*b*) No.

(*c*) Does not arise in view of answer to (*b*).

(*d*) Yes.

Officers in the Land Revenue Department.

66. **MR. D. FRANCIS**: Will the Govern-ment be pleased to lay on the table a statement, by caste, of the officers in the Land Revenue Department?

MR. M. RAMACHANDRA RAO: The question is not clear.

Appointment of Latin Christians in the Huzur Cutcherry.

67. **MR. D. FRANCIS**; Will the Govern-ment be pleased to lay on the table the number of Latin Christians appointed during the past four years ending with 30-12-1114 on Rs. 30 and above, both permanent and acting, with their names in the Huzur Office?

MR. M. K. NILAKANTA AIYAR: One. Mr. J. C. Morais, exempted from the Public Service Recruitment Rules and appointed acting clerk on Rs. 40-70.

Appointments in the Transport Department.

68. **MR. P. S. MUHAMED**: Will the Government be pleased—

(*a*) to lay on the table a statement, by caste, of appointments made in the Transport Department in 1114 and 1115 till now (17-10-15) as drivers, conductors, clerks and checking officers; and

(*b*) to state, by caste, how many of them are in service and how many in the waiting list?

MR. K. SANKARAN. The member is referred to the answer at pages 100 to 105 of Vol. XII No. 3 of the Proceedings of the Sri Mulam Assembly.

Munsiffs and Government Pleaders belonging to the Muslim Community.

69. **MR. P. S. MUHAMED:** Will the Government be pleased to state:

(*a*) whether there is any Munsiff from the Muslim Community;

(*b*) the year in which Mr. P. A. Kasim was appointed as Munsiff;

(*c*) whether there is any Government Pleader belonging to the Muslim Community; and

(*d*) whether they will be pleased to lay on the table a statement, by caste, of appointment of Munsiffs made in 1112, 1113, 1114 and in 1115 till now (16-10-1115)?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*a*) At present none.

(*b*) 9-7-1104.

(*c*) None.

(*d*) The * statement is laid on the table.

Appendix A.

Vide Answer to Question No. 50.

Statement, by caste, of the officers of the Public Health Department.

HINDU		
Brahmin	...	6
Nair	...	11
Ezhava	...	3
Other Hindu	...	1
CHRISTIAN		
Jacobite	...	2
Marthomite	...	3
S. I. U. C.	...	2
Other Christian	...	1

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* *Vide* Appendix E page 740.

Appendix B.

Vide Answer to Question No. 52.

PRESS COMMUNIQUE.

Several petitions and representations have been received by Government including one from a member of the Legislature that certain missionary agencies are about to hold a religious convention during the Mandakad festival and that a convention is likely to result in a clash. It has also been represented to Government that very large crowds are expected to assemble for the temple festival and also for the convention. The distance between the temple and the site of the missionary conference is about two furlongs. If the Government had been apprised earlier of these fixtures and the consequences now apprehended, arrangements may have been made for the convention being held before the commencement of the festival or after its termination and Government hope that from next year this procedure will be followed as a matter of mutual adjustment. As, however, all arrangements have been made for this year, Government do not propose to interfere with them.

It has become apparent to Government that for various reasons the feelings between the two communities have been exacerbated on account of some lectures delivered and pamphlets distributed in certain parts of the State disparaging the Hindu faith. It is also noticed that for the first time in the recent history of the State, provocative allegations have recently been made by certain persons regarding an alleged drive in this State against the Christians. Government deprecate and repel such statements which are both unfounded and mischievous. They are very anxious to avoid situations in which such allegations are likely to be made or mutually hostile propaganda likely to be indulged in. They therefore appeal to the members of the Hindu and the Christian communities to refrain during the ensuing festival and convention from any provocative action or speech and to see that the convention and the festival are conducted in peace and harmony and without any mutual friction thus avoiding any recourse to the executive authority.

Appendix C.

Vide Answer to Question No. 54.

List of Latin Christians appointed during the past four years ending with 30-12-1114 in the Anchal Department drawing a pay of Rs. 20 and above.

(1) Joseph Fernandez.
(2) G. Devasahayam.
(3) Arulappa Pillai.
(4) Susai Mariyan.
(5) Thirilose George.

Appendix D.

Vide Answer to Question No. 62.

Statement, by caste, of Stationary Magistrates recruited direct during 1113, 1114, 1115 (till the end of Medom 1115).

A. HINDU.			
1	Brahmin	...	...
2	Nair	...	1
3	Kammala	...	...
4	Nadar	...	...
5	Ezhava	...	2
6	Cheramar	...	...
7	Other Hindu	...	1
B. MUSLIM		...	...
C. CHRISTIAN.			
1	Jacobite	...	...
2	Marthomite	...	...
3	Syriac Catholic		2
4	Latin Catholic	...	...
5	South India United Church	...	...
6	Other Christian	...	...

Appendix E.

***Vide* answer to Question No. 69**

Statement, by caste, of appointments of Munsiffs made in 1112, 1113, 1114 and 1115 (till 16-10-1115).

			From Bar.	*From Service.*
A. *Hindu.*				
1.	Brahmin	...	3	3
2.	Nayar	...	2	1
3.	Kammala	...	...	...
4.	Nadar	...	...	...
5.	Ezhava	...	1	...
6.	Cheramar	...	..	...
7.	Other Hindu	...	...	...
B. *Muslim.*		...	...	...
C. *Christian.*				
1.	Jacobite	...	...	1
2.	Marthomite	...	1	...
3.	Syriac Catholic	...	...	...
4.	Latin Catholic	...	...	2
5.	S. I. U. C.	...	1	...
6.	Other Christian	...	...	...

LEGISLATIVE BUSINESS.

THE TRAVANCORE DEBT RELIEF BILL.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanacherry* cum *Peermade*): Sir, the Committee could not finish the whole work about the Debt Relief Bill yesterday and therefore it was tentatively agreed between the members of the Assembly that the non-official day fixed for the Assembly might be postponed and utilised for the continuance of the deliberations that have already taken place. If necessary, we are prepared even to forego the non-official day.

PRESIDENT: Yes. I see that yesterday about one-third of the work was finished and that one day or, probably, a day and a half will be required to complete the work of the Committee.

As for many reasons it would be expedient that the work of the Committee is finished in time for the purpose of arranging a sitting of this House on Saturday, in order to consider the recommendations of the Committee and to come to a decision on the Bill itself, I have no objection if the general feeling of the Honourable House is to the effect that one more day be given if and when required some time later for non-official work. Is that the general wish of the House?

(Honourable members indicated assent).

The Committee will resume its deliberations and when Government are approached with the request for fixing another non-official day, it will be done. In the mean time, you may tentatively fix Saturday for the sessions of this House. But, it may be remembered that if by any chance work is not completed in time for effective business being transacted on Saturday, some other day will be fixed after the sitting of the other House. That is the present contemplation of Government. Therefore, tentatively it may be taken that this House will meet on Saturday. If the Committee is not able to finish the work we shall have to take other measures. That may be borne in mind. The Committee will now resume its deliberations. The House adjourned at 11-45 A. M.

Trivandrum,
20th June 1940.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT*)

SECOND ASSEMBLY.

SIXTH SESSION.

Saturday, the 22nd June 1940/9th Mithunam 1115.

The Assembly met again at 11 of the Clock in the Legislative Chamber, with Sachivottama Sir C. P. Ramaswamy Aiyar, K. C. I. E., LL. D, Dewan President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls.

1. Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy.
2. Mr. C. Kumara Das,
3. Dr. H. Parameswaran,
4. Dr. S. K. Pillai,
5. Vaidyasastrakusala Dr. Mrs. M. Poonen Lukose, and
6. Mr. M. Ramachandra Rao.

QUESTIONS AND ANSWERS.

Ceylon copra, oil and nuts.

382. *MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Kartigapally*): Will the Government be pleased to state the quantity of Ceylon copra, oil and nuts, if any, imported into Travancore from 1112-1115?

MR. M. K. NILAKANTA AIYAR (*Chief Secretary to Government*): A *statement furnishing the information is laid on the table.

Ascu treated timber.

383. *MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad cum Parur*): Will the Government be pleased to state:

(*a*) the cost of ascu treatment for one cubic foot of timber;

(*b*) whether any agreement has been entered into with Dr. Kamesam in regard to the remuneration to be paid to him for every cubic foot of timber treated with ascu in Travancore;

(*c*) if so, the rate per cubic foot thus agreed to be paid to him;

(*d*) if so, the amount given or to be given to him on that account till the beginning of Kanni 1115; and

**Vide* Appendix I.—Page 775.

[Mr. K. P. Kochukora Tharakan]

(*e*) the quantity of ascu treated timber sold outside Travancore till the end of Chingom 1115 and the price fetched per candy of such timber ?

DR. S. K. PILLAI (*Technical Assistant in charge of the duties of the Director of Development*) :

(*a*) 4 annas per cft.

(*b*) No.

(*c*) and (*d*) These do not arise in view of the answer to part (*b*).

(*e*) 210 candies ; Bh. Rs. 22-7-8½ per candy.

"Other Hindus" in the Excise Department.

384. *** MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*) : Will the Government be pleased to lay on the table a statement, by caste, of clerks, Petty Officers and peons now in service in the Excise Department, belonging to the class of "other Hindus."

MR. M. K. NILAKANTA AIYAR : Records are not maintained showing the sub-divisions to which members of the public service coming under the classification "Other Hindus" belong.

Recruitment of Pakuthy Accountants.

385. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN** (*Neyyattinkara cum Trivandrum*) : Will the Government be pleased to state :

(*a*) Whether a selection of candidates for recruitment as Pakuthy Accountants was made by the Public Service Commissioner ;

(*b*) if so, when was the selection made ;

(*c*) how many candidates were selected ;

(*d*) when was the first candidate from the list advised for appointment ;

(*e*) how many were advised till now ;

(*f*) how many of those recruited are now in service ; and

(*g*) whether those in service among them are being retained according to their seniority ?

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner*) : (*a*) Yes.

(*b*) October and November 1936/Thulam 1112.

(*c*) 258.

(*d*) 27th February 1937/16th Kumbhom 1112.

(*e*) 102 up to 31st May 1940.

(*f*) 85.

(*g*) Yes.

Exportation of monazite, ilmenite etc., from Travancore.

386. *** MR. KANNANTHODATH JANARDANAN NAIR** : Will the Government be pleased to state :

(*a*) the amount of monazite, ilmenite, zircon and sillimanite exported from Travancore between 1110 and 1114 ;

(*b*) the price of each material per ton during those years ; and

(*c*) the amount of royalty collected by Government from those companies during those years ?

MR. M. K. NILAKANTA AIYAR: (*a*) A statement furnishing the information is laid on the table.

(*b*)	Monazite	Rs. 160 per ton.
	Zircon	Rs. 150 ,,
	Ilmenite	Rs. 15 ,,
	Sillimanite	Rs. 90 ,,
(*c*)	1110	Rs. 57,548.
	1111	1,79,195.
	1112	1,39,331
	1113	1,37,555
	1114	3,33,505

MR. KANNANTHODATH JANARDANAN NAIR: Sir, with reference to part (a) of the question I wanted to know the amounts in each case and that has not been given in the answer.

MR. M. K NILAKANTA AIYAR: *That is given in the statement as Appendix II.

MR. M. SIVATHANU PILLAI: May I know the reason why the figure relating to the amount of royalty collected by Government has jumped so high for 1114?

PRESIDENT: Due to the present war.

MR. M. K. NILAKANTA AIYAR: Because royalty is assessed according to lease year and not according to the official year.

Recruitment to Public Service.

1887. ***MR. MURUKUMPUZHA V. KUNJUKRISHNAN**: Will the Government be pleased to state:

(*a*) whether in the Government order regarding recruitment to public service the intention of Government was that the reservation of 40 per cent. of appointments in the intermediate division to backward communities should operate with reference to the number of recruitments actually made in each class of appointments:

(*b*) if the answer to part (*a*) is in the affirmative, whether in the actual recruitments being advised by the Public Service Commissioner from time to time this rule is observed:

(*c*) what is the total number of candidates advised for appointment in the intermediate division since this G. O. regarding recruitment to public service came into force; and

(*d*) how many of those appointments have been advised to be given to candidates belonging to backward communities under the above reservation of 40 per cent.

DR. H. PARAMESWARAN (*Secretary in charge of the duties of the Public Service Commissioner*): (*a*) In G. O. R. Dis. No. 893/Genl. dated 25th June 1935, no intention as to separate types of appointments is stated. In rules 30 and 32 of the Public Service Recruitment Rules, separate selective tests for separate types of appointments are provided for, with a reservation in each of 40 per cent, for the inadequately represented communities and not to the backward communities.

(*b*) Yes.

(*c*) 1757 up to 3rd June 1940.

(*d*) 443 appointments were given to candidates belonging to the inadequately represented communities up to 3rd June 1940.

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* *Vide* Appendix II—Page 776.

Construction of a granite wall and a bathing ghat at Krishnanputhoor Kal.

388. ✱ **K. NARAYANAPERUMAL NADAR** (*Tovala* cum *Agastiswaram*): Will the Government be pleased to state:

(*a*) whether one Mr. A. Narayanaperumal Nadar and others of Palkinathan Villa of Dharmapuram pakuthi, Agastiswaram taluk, sent a petition to the Government on 29-3-1115 for the construction of a granite wall and a bathing ghat in Krishnanputhoor Kal, and

(*b*) the action taken thereon?

MR. K. SANKARAN (*Ag. Secretary to Government*): (*a*) Yes

(*b*) The retaining wall will be completed shortly and the construction of the bathing ghat will be taken up when funds become available.

Strikes in Travancore.

389. ✱**MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state

(*a*) how many strikes have taken place in Travancore after the Trade Disputes Act came into force;

(*b*) how many men were involved in those strikes;

(*c*) how many working days were lost; and

(*d*) in how many strikes Government Court of inquiry or Board of Conciliation was provided in the Trade Disputes?

MR. C. KUMARA DAS (*Director of Industries and Labour Commissioner*):

(*a*) 3

(*b*) 1,450 workers.

(*c*) 38 days.

(*d*) None.

MR. K. NARAYANAPERUMAL NADAR: With referenco to part (d) of the answer may I know why no court of enquiry or board of conciliation was provided?

MR. C. KUMARA DAS: There was no need.

MR. K. NARAYANAPERUMAL NADAR: May I know the names of factories where the three strikes took place?

MR. C. KUMARA DAS: The coir factory workers' strike at Muhamma, the mineral factory workers' strike at Chavara, and the cashewnut factory workers' strike at Kilikollur.

Encroachment in S. No. 606/1 in the Rayamangalam pakuthi.

390. ✱**MR. K. P. KOCHUKORATHARAKAN** (*Kunnatnad* cum *Purur*): Will the Government be pleased to state:

(*a*) whether they are aware of any encroachment in S. No. 606/1 set apart for cattle grazing in the Rayamangalam pakuthi;

(*b*) whether the above land is being got surveyed and demarcated into 5 acre blocks by the Puduval Survey Party at Muvattupuzha; and

(*c*) if so, the purpose for which such a large area of land is being split up into 5 acre blocks?

MR. M. RAMACHANDRA RAO;

(*a*) Yes.

(*b*) No.

(*c*) In view of the answer to question (*b*) this question does not arise.

MR. K. P. KOCHUKORA THARAKAN: അവരെ അവിടെ നിന്നും ഒഴിപ്പിക്കാൻ വല്ല നടപടിയും നടത്തിയിട്ടുണ്ടോ?

MR. M. RAMACHANDRA RAO: Arrangements have been made to re-survey the whole plot and after that work is completed action will be taken on all encroachments.

Construction of a Cinema Theatre at Trivandrum.

391. ***MR. S. NARAYANA PILLAI** (*Quilon cum Kottarakara*): Will the Government be pleased to state:

(*a*) whether the Development Department constructed a Cinema Theatre at Trivandrum out of Ascu—treated timber for a private individual;

(*b*) the actual amount expended on the same (inclusive of the cost of timber); and

(*c*) the profit, if any, made by the Department on that account?

DR. S. K. PILLAI (*Technical Assistant in charge of the duties of the Director of Development*): (*a*) Yes.

(*b*) Rs. 4,802-11-6.

(*c*) This can be ascertained only after the final adjustment of the bills.

MR. S. NARAYANA PILLAI: May I know the date on which the construction of the theatre was finished?

DR. S. K. PILLAI: I claim notice Sir,

Conductors in the State Transport Department.

392. ***MR. KANNANTHODATH JANARDHANAN NAIR** Will the Government be pleased to state:

(*a*) the number of permanent conductors going out on duty on the several lines taken up by the State Transport Department;

(*b*) the number of bell-punch machines (ticket issuing machines) got down for their use;

(*c*) the actual number of machines now in use; and

(*d*) the cost of each such machine?

MR. K. SANKARAN: (*a*) 132.

(*b*) 65.

(*c*) 15.

(*d*) £ 7-10-0.

MR. KANNANTHODATH JANARDANAN NAIR: From the answers to parts (a) and (c) it is seen that only 15 machines are in use while there are 132 conductors. I want to know what was the necessity for getting down these 65 machines at a high cost?

MR. K. SANKARAN : I may tell the Hon Members straightway that these machines are not in use now. They were ordered and purchased at the commencement of the Department. Subsequently it was found out that they were not working satisfactorily. Then another kind of machines were got down. Still another kind was locally made. These two sets of machines are now actually in use.

Duty on hide.

393. ***MR. KANNANTHODATH JANARDHANAN NAIR** : Will the Government be pleased to state:

(*a*) whether the export duty for tanned hide is greater than that for untanned hide;

(*b*) whether the duty is levied by number and not by weight;

(*c*) whether there is any difference between the duty levied for the hide of the sheep and that of the goat; and

(*d*) if the answer to part (*b*) is in the affirmative, why it is so?

MR. M. K. NILAKANTA AIYAR : (*a*) Export duty on tanned and untanned hide is the same.

(*b*) Duty is levied by number.

(*c*) Yes.

(*d*) This method of assessment is simpler.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether the officers in charge of the Customs Stations are trained in differentiating various sorts of skins and hides?

MR. M. K. NILAKANTA AIYAR : They are expected to know how to differentiate.

MR. KANNANTHODATH JANARDHANAN NAIR ; With reference to part (d) of the question it is stated that the method of assessment is simpler if they are assessed by number than by weight. I want to know whether the method of counting is not more laborious?

MR. M. K. NILAKANTA AIYAR : It is a matter of opinion.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether the tanned skins are not spoiled by counting?

MR. M. K. NILAKANTA AIYAR : No.

Clay Refining and Porcelain Works at Kundara.

394. ***MR. S. NARAYANA PILLAI** : Will the Government be pleased to state:

(*a*) how long it is since the Clay Refining and Porcelain works at Kundara was started;

(*b*) the total amount invested by Government in the works; and

(*c*) the number of occasions, with dates, on which the accounts of the works have been audited?

MR. C. KUMARA DAS : (*a*) 3½ years.

(*b*) The total amount invested by Government till the end of Medam 1115 as capital expenditure on the scheme is Rs. 7,85,991-27-11.

(c) The accounts of the Clay Refining and Porcelain factory are audited monthly in the same way as the accounts of all other Departments of Government are audited. It is also proposed to conduct a local audit of the accounts shortly.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know what is the significance of the expression 'local audit.'

MR. S. SUNDARARAJAN: Local audit means audit on the spot with reference to the initial accounts and records maintained or available in the office of the undertaking.

MR PULIYOOR T P. VELAYUDHAN PILLAI: May I know whether there was any local audit within the last 3½ years?

MR. S. SUNDARARAJAN: I claim notice Sir.

Raw fish imported into Travancore.

395. ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to state what is the quantity of raw fish imported into Travancore through Arukutty and Munambam during 1114 M. E.?

MR. M. K. NILAKANTA AIYAR: The quantity of raw fish imported through the Arukutty chowkey during 1114 was 48989 cwts. There was no import of raw fish through the Munambom chowkey in 1114.

Salt stored in alloms.

396. **MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to lay on the table the total maunds of salt stored in each allom according as they are:

(1) one to 2 years old;
(2) 2 to 2½ years old;
(3) 2 to 3 years old;
(4) 3 to 4 years old;
(5) 4 to 5 years old; and
(6) above 5 years?

MR. M. K. NILAKANTA AIYAR: A statement showing the total quantity of salt stored in each allom is laid on the table.

MR. K. NARAYANAPERUMAL NADAR: With reference to the statement given in answer may I know why salts of five pears old are stored in Extension No. 1 (Avathanial) Allom without being sold?

MR. M. K. NILAKANTA AIYAR: There were disputes among the licensees.

MR. K. NARAYANAPERUMAL NADAR: May I know whether there is any circular that salt which have been stored and kept unsold for 5 years should be destroyed?

MR. M. K. NILAKANTA AIYAR: I may invite the Hon. Member's attention to Rule 19 of the License rules.

*Vide Appendix III—Page 777.

Timber treated with Ascu by the Development Department.

397. ***MR. S. NARAYANA PILLAI** (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(*a*) the cost incurred by the Development Department for treating timber with Ascu since the process was started; and

(*b*) the price realised by the disposal of such timber during the period?

DR. S. K. PILLAI (*Technical Assistant in charge of the duties of the Director of Development*): (*a*) Rs. 32,303-9-5.

(*b*) Rs. 99,610-19-13.

MR. S. NARAYANA PILLAI: Does the price include the price of timber sold to various Government departments?

DR. S. K. PILLAI: The price is Rs. 32,303.........

PRESIDENT: Honourable member is expected to hear the question before answering it.

MR. S. NARAYANA PILLAI: Sir, I wanted to know with reference to part (*d*) of the answer whether the price of timber sold include the price of timber sold to several Government departments.

DR. S. K. PILLAI: I claim notice Sir.

MR. KAINIKKARA M. PADMANABHA PILLAI: Is the treatment going on now?

DR. S. K. PILLAI: Yes.

MR. KAINIKKARA M. PADMANABHA PILLAI: Is there demand for treated timber either in Travancore or outside?

DR. S. K. PILLAI: There is demand in Travancore as well as from outside.

MR. KAINIKKARA M. PADMANABHA PILLAI: Have any orders been booked now?

DR. S. K. PILLAI: Yes.

MR. KAINIKARA M PADMANABHA PILLAI: Are these orders coming from outside or inside?

DR. S. K. PILLAI: The electrical Department and Telephone Departments in Travancore have ordered for treated poles also the Madras Electrical Department has placed an order for the same.

MR. KAINIKKARA M. PADMANABHA PILLAI: May I know the quantity of timber required outside Travancore at present?

DR. S. K. PILLAI: About 1000 poles.

Representation from the Abkari Contractors.

398. ***MR. P. KUNJUKRISHNAN** (*Quilon* cum *Kottarakara*): Will the Government be pleased to state:

(*a*) whether representations have been made to the Government by the Abkari Contractors of Quilon praying for reduction in contract amount, tree tax, etc.;

(*b*) whether they have made enquiry about the appalling fall in the sale of toddy in these two years at Quilon;

(*c*) whether the closing of a few factories in Quilon has considerably contributed to the fall in sale of toddy; and

(*d*) whether the Government have made any such reductions in previous years?

MR. M. K. NILAKANTA AIYAR: (*a*) Yes.

(*b*) Government are not aware of any appalling fall in the sale of toddy in Quilon.

(*c*) Government have no information.

(*d*) Yes.

Statement, by caste, of persons in service in the Excise Department.

399. * **MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the number of persons in service in the Excise Department appointed during the last two years ending with the 1st Dhanu 1115 as per the selection of the Public Service Commissioner and otherwise?

MR. M. K. NILAKANTA AIYAR: A *statement is laid on the table.

Statement, by caste, of Proverthicars.

400 * **MR. THARIATHU KUNJITHOMMEN**: Will the Government be pleased to lay on the table a statement, by caste, of the Proverthicars now in service?

MR. M. RAMACHANDRA RAO (*Land Revenue and Income Tax Commissioner*): The † statement required is laid on the table.

MR. T. T. KESAVAN SASTRI (*Nominated*): ഇവിടെ കൊടുത്തിരിക്കുന്ന സ്റ്റേറ്റുമെൻറിൽ ചേരമർ ജാതിയിൽനിന്ന് ൻ പാർവ്വത്യകാരന്മാർ ഉള്ളതായി കാണുന്നു. അതു് ശരിയാണോ എന്നുള്ള വിവരം ദയവായി പറയാമോ?

MR. M. RAMACHANDRA RAO: It is right Sir.

MR. T. T. KESAVAN SASTRI: ചേരമർ എന്നു ഇവിടെ പറഞ്ഞിരിക്കുന്നതു ഏതു ജാതിക്കാരെ ഉദ്ദേശിച്ചാണെന്നു പറയാമോ ?

MR. M. RAMACHANDRA RAO: Honourable Member's reference is invited to the Public Service Recruitment Rules.

MR. T. T. KESAVAN SASTRI: ചേരമർ (പുലയർ) ജാതിയിൽനിന്നും ഇതുവരെ യാതൊരുത്തനേയും പാർവ്വത്യക്കാരായി നിയമിച്ചിട്ടില്ലെന്നുള്ള വിവരം ഗവമ്മെൻറു ദയവായി ശ്രദ്ധിക്കുമോ?

MR. M. RAMACHANDRA RAO: The matter will be considered Sir.

Statement, by caste, of officers in the Forest Department.

401 * **MR. THARIATHU KUNJITHOMMEN** (*Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement by caste of the officers in the Forest Department?

MR. M. K. NILAKANTA AIYAR: The question is vague and indefinite. A ‡statement by caste of the Gazetted officers in the Forest Department is however laid on the table.

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* *Vide* Appendix IV.
† *Vide* Appendix V.
‡ *Vide* Appendix VI.

MR. PADIYARA JOSEPH KUNJU : കസ്റ്റ്യൻ വേഗ് ആണെന്നു പറഞ്ഞിരിക്കുന്നു എന്നാൽ അതിന്റെ അർത്ഥം വ്യക്തമാണ്. പിന്നെ വേഗ് എന്നു പറയാനുള്ള കാരണം എന്താണ്?

MR. M. K. NILAKANTA AIYAR : ഗസറ്റഡ് ആഫീസേഴ്സോ നാൺഗസറ്റഡ് ആഫീസേഴ്സോ ആണെന്നുള്ള സംശയംകൊണ്ടാണ് അങ്ങിനെ പറഞ്ഞിട്ടുള്ളതു.

MR. PADIYARA JOSEPH KUNJU : ഗസറ്റഡ് ആഫീസേഴ്സിനെയും നാൺഗസറ്റഡ് ആഫീസേഴ്സിനെയും ഉദ്ദേശിച്ചാണ് ബോധിപ്പിച്ചിട്ടുള്ളത് എന്നു അതിൽനിന്നും വ്യക്തമാകുന്നില്ലേ ?

MR. M. K. NILAKANTA AIYAR : ഇല്ല.

MR. PADIYARA JOSEPH KUNJU : എന്തുകൊണ്ട് വ്യക്തമാകുന്നില്ല ?

MR. M. K. NILAKANTA AIYAR. ഗസറ്റഡ് ആഫീസേഴ്സോ നാൺഗസറ്റഡ് ആഫീസേഴ്സോ എന്നു പറഞ്ഞിട്ടില്ലാത്തതുകൊണ്ട് വ്യക്തമാകുന്നില്ല.

MR. PADIYARA JOSEPH KUNJU : ഈ രണ്ടിനം ഉദ്യോഗസ്ഥന്മാരും ഇതിൽ ഉൾപ്പെടുന്നില്ലേ ?

MR. M. K. NILAKANTA AIYAR : അങ്ങിനെ വ്യക്തമാകുന്നില്ല.

Improvement of old tanks.

402. *MR. D. FRANCIS (*Kalkulam cum Vilavankod*): Will the Government be pleased to state the number of old tanks improved with their names, in the taluks of Thovala, Agastisvaram, Kalkulam and Vilavankod from 1-1-1110 to 1-1-1115 ?

MR. K. SANKARAN : A * statement giving the required information is placed on the table.

MR. D. FRANCIS : *நீண்டகரைப் பகுதியில் அணந்தன்குளம் ஏன் பழுதுபார்க்கப்படவில்லை ?*

MR. K. SANKARAN : കുളങ്ങളുടെ പ്രാധാന്യം അനുസരിച്ച് ഓരോന്നായി ഇമ്പ്രൂവ് ചെയ്തു വരുന്നുണ്ട്.

Operation of the Public Service Recruitment Rules.

403. *MR. K. P. KOCHUKORA THARAKAN : Will the Government be pleased to state:

(*a*) whether any of the departments have been exempted, either permanently or temporarily, from the operation of the Public Service Recruitment Rules; and

(*b*) if so, the names of such departments?

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*Vide Appendix VII

DR. H. PARAMESWARAN: (a) Yes.

(b) The member is referred to the definition of "Public Servise" in rule 3 (1) of the Public Service Recruitment Rules (Travancore Service Recruitment Manual page 17 and addenda thereto).

MR. KANNANTHODATH JANARDANAN NAIR: May I know whether the Transport Department and the University are under the Purview of the Public Service Recruitment Rules?

DR. H. PARAMESWARAN: No Sir.

MR. KANNANTHODATH JANARDANAN NAIR: Is there any objection in taking up those Departments also under the Purview of the Public Service Recruitment Rules?

PRESIDENT: The question is hypothetical.

Inspector of Police, Thodupuzha.

406. *MR. P. V. MATHAI CHEMPARATHY (*Minachil cum Thodupuzha*): Will the Government be pleased to state:

(a) whether Mr. K. Narayanan, Inspector of Police, Thodupuzha, is involved as accused in any criminal complaint;

(b) if so, in how many criminal complaints he is involved; and

(c) whether any petition has been received by the Government requesting sanction to prefer criminal complaint against him?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY (*Inspector General of Police.*): (a) Yes.

(b) In three complaints.

(c) Yes.

MR. A. K. KUMARAN VAIDYAN: തൊടുപുഴ പൊലീസ് ഇൻസ്പെക്ടർ മി. നാരായണൻ മി. മത്തായി ചെമ്പരത്തിയുടെ അനുജന്റെ പേരിൽ ൦-൦൦ വകുപ്പിനു കേസ്സെടുത്തിട്ടുള്ളതായി അറിയാമോ

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: Yes, Sir.

MR. M. RAMIAH PILLAI: May I know how many petitions have been received by the Government regarding preference of criminal complaints against him?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: In all I see about 13 petitions against the officer, 11 of them were disposed of and the remaining two are now being enquired into.

MR. K. P. KOCHUKORA THARAKAN: കേസ്സെടുക്കാൻ ഗവണ്മെന്റനുവാദം ചോദിച്ചിട്ട് അതു ഏതു നിലയിലിരിക്കുന്നു എന്നു പറയാമോ?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: It has been with the Government.

MR. A. K. KUMARAN VAIDYAN: അതിലേക്കുള്ള വക്കീൽഫീസ് മി. മത്തായി ചെമ്പരത്തിയല്ലേ കൊടുത്തിട്ടുള്ളതു?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: I am not sure about it because the petitions came to me from the Government.

Extension of the State Transport service.

407. ***MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to state whether the State Transport Department intends to start Transport Service on the Kottayam-Alwaye, Alwaye-Parur and Alwaye-Munnar lines and, if so, the date on which each of the said line services will be started?

MR. K. SANKARAN : Yes ; the date has not been fixed.

Women passengers in State Transport buses.

408. ***MR. K. P. KOCHUKORA THARAKAN** : Will the Government be pleased to state whether it has been brought to the notice of the Transport Superintendent or the Government that the passengers, especially women passengers, who get into and alight from the State Transport buses in intermediate stations are experiencing considerable hardships and loss, due to the absence of an attender or cleaner to take their luggage to and from the top of the bus?

MR. K. SANKARAN : Complaints have been received from certain individuals regarding some difficulty in unloading luggage during night when coolies were not available. In such cases conductors help the passengers. Arrangements are being made to appoint licensed coolies or porters for loading and unloading buses at all important stations.

MR. K. P. KOCHUKORA THARAKAN : പ്രധാനപ്പെട്ട ബസ് സ്റ്റാൻഡുകൾക്കിടയ്ക്കു് കൂലിക്കാരില്ലാത്തതുകൊണ്ടു് സാമാനങ്ങൾ ഇറക്കുന്നതിനും മററും വലിയ അസൗകര്യം ഉണ്ടാകുന്നുണ്ടു് എന്നുള്ള വിവരം അറിയാമോ ?

MR. K. SANKARAN : ഇടയ്ക്കുള്ള ബസ് സ്റ്റാൻഡുകളിൽ കൂലിക്കാരില്ലെങ്കിൽ കണ്ടക്ടേഴ്സ് അതിലേക്കു വേണ്ട സൗകര്യങ്ങൾ ചെയ്തുകൊടുക്കുന്നുണ്ടു്.

MR. K. P. KOCHUKORA THARAKAN : ഇപ്പോൾ അങ്ങിനെ ചെയ്തുവരുന്നില്ലാത്തതുകൊണ്ടു് അററൻഡർമാരെ നിയമിക്കേണ്ടതു് ആവശ്യമാണെന്നു തോന്നുന്നില്ലേ?

MR. K. SANKARAN : അററൻഡർമാരെ നിയമിച്ചാൽ ആവശ്യമില്ലാത്ത തരത്തിൽ ചെലവ് വർദ്ധിക്കുന്നതിനു കാരണമായിത്തീരും.

MR. K. P. KOCHUKORA THARAKAN : ബസ്സിൽ യാത്രചെയ്യുന്നവരുടെ സൗകര്യത്തെ കുറച്ചിട്ടാണോ അതിലേക്കു ചെലവ് ചെയ്യാൻ ഉദ്ദേശിക്കുന്നതു് ?

MR. K. SANKARAN : യാത്രക്കാർക്കു് അസൗകര്യം ഉണ്ടാകാത്ത വിധത്തിൽ ഏർപ്പാടു ചെയ്യുന്നതിനു വേണ്ട നിർദ്ദേശങ്ങൾ കൊടുത്തിട്ടുണ്ടു്.

MR. K. P. KOCHUKORA THARAKAN : അതനുസരിച്ച് ഒന്നും തന്നെ നടക്കുന്നില്ലെന്നുള്ള വിവരം അറിയാമോ ?

MR. K. SANKARAN : ചില അവസരങ്ങളിൽ മാത്രം യാത്രക്കാർക്ക് ബുദ്ധിമുട്ടുണ്ടായതായി അറിഞ്ഞിട്ടുണ്ട്.

MR. K. P. KOCHUKORA THARAKAN : അതിനെപ്പററി പരാതിയുണ്ടെങ്കിൽ അതിലേക്കു വേണ്ട നടപടി നടത്താമോ ?

MR. K. SANKARAN : അതിനെപ്പററി അന്വേഷിക്കുന്നതാണ്.

MR. K. R. NARAYANAN : കൊടുത്തിട്ടുള്ള നിർദ്ദേശങ്ങളനുസരിച്ച് പ്രവർത്തിക്കാത്ത കണ്ടക്ടർമാരുടെ പേരിൽ പരാതി വന്നാൽ ശരിയായ വിധത്തിൽ അവരെ ശിക്ഷിക്കാമോ ?

MR. K. SANKARAN : പരാതിയുടെ അടിസ്ഥാനം വാസ്തവമാണെന്നു കണ്ടാൽ ശിക്ഷിക്കുന്നതാണ്.

MR. K. R. NARAYANAN : പണം പിരിക്കേണ്ട ചുമതല കണ്ടക്ടരുടെ അല്ലേ ?

MR. K. SANKARAN : അതെ.

MR. K. R. NARAYANAN : പണം പിരിക്കുകയും യാത്രക്കാരുടെ സാമാനങ്ങൾ ഇറക്കുകയും ചെയ്യുന്നതിനു ഒരാളിനെക്കൊണ്ട് സാദ്ധ്യമാണോ ?

MR. K. SANKARAN : എല്ലാ അവസരങ്ങളിലും അവർ അങ്ങിനെ ചെയ്യേണ്ടിവരികയില്ല. കൂലിക്കാരെ കിട്ടിയില്ലെങ്കിൽ മാത്രമെ കണ്ടക്ടർ സഹായിക്കേണ്ട ആവശ്യം ഉണ്ടാവുകയുള്ളൂ.

MR. K. R. NARAYANAN : ഈ രണ്ടു പ്രവൃത്തിയും കൂടെ ഒരാൾ എങ്ങിനെ ചെയ്യും ? പണം പിരിക്കുകയും ബസ്സിൻെറ മുകളിൽ കയറുകയും ചെയ്യുന്നതെങ്ങിനെ

MR. K. SANKARAN : ബസ്സിൻെറ മുകളിൽ കയറുന്നതു കയറി നോക്കിയാൽതന്നെ അറിയാം.

MR. V. KUNJUKRISHNAN : ലൈസൻസ്ഡ് പോർട്ടേഴ്സിനെ നിയമിക്കേണ്ടതു് ആവശ്യമാണെന്നു തോന്നുന്നില്ലേ ?

MR. K. SANKARAN : അക്കാര്യം ആലോചനയിലിരിക്കുന്നതെയുള്ളൂ.

MR. V. KUNJUKRISHNAN : May I know whether there are any licensed coolies now available in the bus stations?

MR. K. SANKARAN The matter of appointing licensed coolies is still under the consideration of Government.

MR. V. KUNJUKRISHNAN : May I know whether licensed porters are available in certain stations at least ?

MR. K. SANKARAN : There may be unlicensed porters available, but not licensed ones.

MR. KAINIKKARA M. PADMANABHA PILLAI: May I ask what convenience is available to the ordinary passenger who gets down on the way between two stations?

MR. K. SANKARAN: The conductor will give the necessary help.

MR. V. KUNJUKRISHNAN: May I know what arrangements are made at any place on the way which is not a station?

MR. K. SANKARAN: Government have not made any arrangements. The matter is pending with the Government. At important places ordinary coolies will be available.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government whether it is not the duty of the conductors now to help passengers in loading and unloading?

MR. K. SANKARAN: Yes.

MR. PADIYARA JOSEPH KUNJU: കണ്ടക്ടേഴ്സിൽ അധികംപേരും ബി. ഏ. ക്കാററരല്ലേ ?

MR. K. SANKARAN: അതെ.

MR. PADIYARA JOSEPH KUNJU: യാത്രക്കാരുടെ സാമാനങ്ങളും മററും ചുമന്നു കയററുകയും ഇറക്കുകയും ചെയ്യേണ്ടതു് അവരല്ലേ ?

MR. K. SANKARAN: അവർ ബി. ഏ. ക്കാരായതുകൊണ്ടു് സാമാനങ്ങൾ കയററിയിറക്കുന്നതു ആക്ഷേപകരമാണെന്നു ഗവണ്മെൻറിനു് അഭിപ്രായമില്ല.

MR. PADIYARA JOSEPH KUNJU: എന്നാലും ഈ ബി. ഏ. ക്കാരല്ലേ ഇതെല്ലാം ചുമന്നു കൊടുക്കേണ്ടതു് ?

MR. K. SANKARAN: ബി. ഏ. ക്കാരനായാലും എം. ഏ. ക്കാരനായാലും കണ്ടക്ടരാണെങ്കിൽ ആവശ്യം നേരിടുമ്പോൾ അങ്ങനെ ചെയ്യണം.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, May I know whether there is any prescribed rule under which the conductor is bound to do this work?

MR. K. SANKARAN: Sir, the conductor is bound to carry out the general instructions issued by the Department and the Government.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: About that I have no doubt. But what I want to know is whether there is any specific rule making it obligatory on the part of the conducter to do this piece of work?

MR. K. SANKARAN: Every officer of the Government is bound to carry out the work asked of him.

MR. T. P. VELAYUDHAN PILLAI: Is there any specific rule which makes him do this work?

MR. K. SANKARAN: No specific rule is necessary for this work.

The Ceramic Factory at Kundara.

409. ***MR. K. P. KOCHUKORA THARAKAN**: Will the Government be pleased to state:

(*a*) what all kinds of articles such as jars, plates, cups and saucers, toys etc., are being made in the Ceramic Factory at Kundara and whether they will be pleased to lay on the table a statement showing the different kinds of articles so made :

(*b*) whether any person in Travancore or outside are given the agency for the sale of the above articles; and

(*c*) if so who they are and the place where they now conduct the sale of the articles ?

MR. C. KUMARA DAS (*Director of Industries*) :

(*a*) The following kinds of articles are manufactured in the Ceramic Factory.

1. Pickle jars.
2. Electrical goods.
3. Fancy articles.
4. Crockery.
5. Sanitary ware.
6. Fire bricks.
7. Drainage pipes.

(*b*) Yes, only for jars.

(*c*) Messrs. M. A. Mohideen Maluk Mohamed, Chalai Bazaar, Trivandrum.

MR. K. P. KOCHUKORA THARAKAN : ഇവിടെ ഏഴുതരം സാമാനങ്ങൾ ഉണ്ടാക്കുന്നുണ്ട് എന്നു പറഞ്ഞുവല്ലോ. ഈ സാമാനങ്ങൾ തിരുവനന്തപുരത്തു ചാല ബസ്സാറിൽ ഒരു ഷാപ്പിൽ മാത്രമെ കാണുന്നുള്ളു. ഈ സാമാനങ്ങൾ മററുള്ളവർക്കും വില്പനയ്ക്കു കൊടുക്കാത്ത കാരണം എന്താണ് ?

MR. C. KUMARA DAS : The agency for the sale of only one of the articles, *viz.*, Jars, has been given to a merchant at Chalai.

That the agent is at Chalai does not mean that he will solely confine his selling to Chalai. As regards the other articles they are not produced in commercial quantities to require an agent at present.

MR. K. P. KOCHUKORA THARAKAN : ചാലയിലല്ലാതെ വേറെ എവിടെയെങ്കിലും ഈ സാമാനങ്ങൾ വില്ക്കുന്ന ഡിപ്പോ ഉണ്ടോ ?

MR. C. KUMARA DAS : I claim notice.

MR. K. P KOCHUKORA THARAKAN : കാണ്ട്രാക്ട് കൊടുത്തപ്പോൾ ഇതിലേക്കു വല്ല പ്രത്യേക വ്യവസ്ഥയും ചെയ്തിട്ടുണ്ടോ ?

MR. C. KUMARA DAS : He is expected to open depots in the important centres in the State.

Wherever there is demand he will have his own depots.

MR. K. P. KOCHUKORA THARAKAN : ഈ സാമാനങ്ങൾക്കു ഡിമാൻഡ് ഉണ്ടോ ഇല്ലയോ എന്നു അറിയുന്നതിനു മററു ഡിപ്പോകളിൽക്കൂടി വില്ക്കുന്നതിനുള്ള സൗകര്യംകൂടി കൊടുത്താലല്ലേ അറിയാൻ തരമുള്ളു ?

MR. C. KUMARA DAS: That is a matter of opinion. He is a merchant himself and he will know where they are in demand. If there is demand he will send the articles.

MR. K. P. KOCHUKORA THARAKAN: ഈ സാമാനങ്ങൾ വിൽക്കുന്ന ഷാപ്പുകൾ വേറെ എവിടെയെല്ലാം ഉണ്ട്?

MR. C. KUMARA DAS: I claim notice.

MR. T. C. KESAVA PILLAI: ഈ സാമാനങ്ങളുടെ വില്പന നടത്തുന്നതിന് വേറെ ഒരു ഏജൻസിക്കുകൂടെ അനുവാദം കൊടുക്കുന്നതിൽ ഗവണ്മെൻറിനു വിരോധമുണ്ടോ?

MR. C. KUMARA DAS: The sole agency has already been given. So, no more agents can be taken.

MR. T. C. KESAVA PILLAI: വേറെ ഒരാളെ കൂടി നിയമിക്കുന്നതിനു എന്താണു വിരോധം? ഗവമെൻറിനു നഷ്ടമില്ലാതെയും പൊതുജനങ്ങൾക്കു ആഗ്രഹമുണ്ടാകത്തക്ക നിലയിലും വില്പന നടത്തുന്നതിനു ഒന്നോ രണ്ടോ യോഗ്യന്മാരായ അപേക്ഷകന്മാർ വരുന്നപക്ഷം അവർക്കും കൂടി കൊടുക്കുന്നതുകൊണ്ട് വിരോധമുണ്ടോ?

MR. C. KUMARA DAS: The conditions of sole agency are that it will be only to one agent.

MR. K. P. KOCHUKORA THARAKAN: ചാലയിൽ ഉള്ള വേറെ ഏതെങ്കിലും ഷാപ്പിൽ ഈ സാമാനങ്ങൾ വില്പന നടത്തുന്നുണ്ടോ?

MR. C. KUMARA DAS: I claim notice,

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: For how many years has this sole agency been given to this particular individual?

MR. C. KUMARA DAS: For one year.

MR. J. E. A. PEREIRA (*Commerce & Industry, South*): May I know whether the electrical goods include articles capable of handling very high voltage?

MR. C. KUMARA DAS Yes.

MR. J. E. A. PEREIRA: Sir, it is my information that they will not meet up to 20,000 K. W. voltage. May I ask therefore whether Government will consider the necessity of making electrical goods which will stand such high voltage?

MR. C. KUMARA DAS: Yes.

MR. P. SIVARAMA PILLAI: Sir, may I know how the prices are arrived at?

MR. C. KUMARA DAS: The prices are fixed according to competitive market rates.

Colachel Port.

410. *MR. C. JEBAMONY NADAR (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state;

(a) the total tonnage of all vessels that entered the Port of Colachel during the years 1939 and 1940; and

(b) the probable date or period when it was first used as a Port?

MR. M. K. NILAKANTA AIYAR:

(a)

Year.	Tonnage Tons.
1939	1,11,879
1940 (up to 10-6-40)	61,931

(b) The date is not known. It is being used as a port from very ancient times.

Municipal Councillors as Honorary Magistrates.

411. ***MR. C. JEBAMONY NADAR:** Will the Government be pleased to state:

(a) whether there is any rule or practice to the effect that Municipal Councillors should not be appointed as Honorary Magistrates; and

(b) if the answer to part (a) is in the affirmative, whether the rule was followed by the Government in the appointment of Honorary Magistrates during the current year?

MR. M. K NILAKANTA AIYAR: (a) No.

(b) This does not arise in view of answer to part (a).

MR. C. JEBAMONY NADAR: Sir, may I know whether in appointing Municipal Councillors as Honorary Magistrates, Government are aware of the inconvenience caused to the public in the trial of cases charged by the Municipal Councils?

MR. M. K. NILAKANTA AIYAR: Yes. There is a rule that Municipal Councillors who are Honorary Magistrates should not try cases charged by the Municipalities.

MR. C. JEBAMONY NADAR: Sir, will not a majority of Municipal Councillors functioning as Honorary Magistrates in a court hamper considerably the cause of justice?

MR. M. K. NILAKANTA AIYAR: Likely.

Graduate clerks in the Registration Department.

412. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN:** Will the Government be pleased to lay on the table a seniority list of the graduate clerks in the Registration Department showing their date of first appointment and present pay with allowance if any?

MR. K. SANKARAN: The time and labour involved in collecting the information will not be commensurate with the purpose it will serve.

Sub-Registrars

413. ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN:** Will the Government be pleased to lay on the table a list of the Sub-Registrars who are in a particular station for more than three years, either continuously or in aggregate?

MR. K. SANKARAN :

1. Mr K. R. Govinda Pillai B. A., B. L. Additional Sub-Registrar, Trivandrum, has been for more than three years in the aggregate at Trivandrum, *i. e.* from 5-1-1108.

2. Mr. K. Nanu Pillai Additional Sub-Registrar, Parur, has been continuously at Parur from 26-8-1112.

Selection of candidates for the Madras Medical College.

414. * MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : Will the Government be pleased to lay on the table a statement, by caste, of candidates selected till now by Government for prosecuting their studies in the Madras Medical College?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE (*Surgeon General*): A statement furnishing the information is placed on the table.

MR. THARIATHU KUNJITHOMMAN : മദ്രാസിലെ മെഡിക്കൽ കാളേജിലേക്ക് ൨൧ പേരെ തിരഞ്ഞെടുത്തതായി കാണുന്നു. അതിൽ ൧൦ ക്രിസ്ത്യാനികളുള്ളതിൽ ഒരൊററ സിറിയൻ കത്തോലിക്കനേയും കാണുന്നില്ല. അതിനു എന്താണു കാരണം? അവരിൽനിന്നും അപേക്ഷകന്മാരാരും ഇല്ലാതിരുന്നതു കൊണ്ടാണോ?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : It is not possible, Sir, to say whether there were Syrian Catholics among the applicants.

All the applications received from 1932 from Christians do not State clearly the denominations to which the candidates belong. Syrian Christian alone is given by several candidates. It is not possible now to say whether there were Syrian Catholics among these candidates. This relates to a period before the Public Service Recruitment rules came into force.

MR. THARIATHU KUNJITHOMMAN : പബ്ലിക്ക് സർവീസ് റിക്രൂട്ടുമെൻറ് റൂൾസ് നടപ്പിൽ വരുത്തുന്നതിനു മുൻപു സമുദായം തിരിച്ചാണു പട്ടിക തരാറുള്ളതു. അതിനു വിരുദ്ധമായി ഇപ്പോൾ പറയുന്നതു്. സിറിയൻ കത്തോലിക്കരുടെ എണ്ണം എത്രയാണെന്നു അറിയാതിരിക്കാൻ വേണ്ടി അല്ലേ എന്നു സംശയിക്കേണ്ടിയിരിക്കുന്നു.

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : അങ്ങിനെയുള്ള യാതൊരു ഉദ്ദേശവുമില്ല.

MR. THARIATHU KUNJITHOMMAN : ൨൧ പേരെ തിരഞ്ഞെടുത്തതിൽ ഈ രാജ്യത്തെ ഒരു പ്രധാന വിഭാഗമായ സിറിയൻ കത്തോലിക്കരിൽ നിന്നും ഒരാളേയും എടുക്കാതിരിക്കാൻ എന്താണു കാരണം?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : These selections were made years ago and as I just now stated there is no information regarding the details given in the applications. There may or

* *Vide* Appendix VIII.

may not have been Syrian Catholics among the applicants. But as it is not definitely stated in the applications it is not possible to trace it now.

MR. PADIYARA JOSEPH KUNJU : കത്തോലിക്ക ക്രസ്ത്യാനികളിൽനിന്ന് ആരേയും എടുക്കാതിരുന്നിട്ടുള്ളത് ഈ ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷ ഒരു നാൺ ക്യാത്തോലിക്കും അവരുടെ ഭർത്താവ ഒരു ജേക്കബൈററു കത്തോലിക്കനും ആയിരിക്കുന്നതു കൊണ്ടാണൊ ?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : Sir, I do not think that that inference can be drawn at all. The present head of the Department has been in charge only for a short time, and these selections relate to 1932 and earlier.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Who is responsible for making the selections whether the Surgeon General or the Government?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : The Surgeon General selects a number of candidates according to the rules prescribed by the Madras Medical College and forwards their names to Government. The final selection is made by Government.

Medical Officers.

415 ***MR. MURUKKUMPUZHA V. KUNJUKRISHNAN** Will the Government be pleased to lay on the table a list of the Medical Officers who have been working in the same station for more than three years?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : The † list asked for is placed on the table.

MR. KANNANTHODATH JANARDANAN NAIR : Sir, may I know whether there is not a circular that an officer should not be retained in a place for more than three years?

VAIDYASASTRAKUSALA DR. MRS. M POONEN LUKOSE : The circular... ....

PRESIDENT : I think it is one of the most unfortunate circulars issued by any Government.

MR. KANNANTHODATH JANARDANAN NAIR : May I know whether there is any important reason for keeping these officers in the same station for more than three years?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE : No hard and fast rule can be............

PRESIDENT : Order, order. Government have come to the conclusion that unless an officer misbehaves himself, the longer he stays in one place the better it is for him and the people in that place whose needs he will study and understand and with whom he will establish friendly and sympathetic relations to the mutual advantage of Government and the locality. Government have now informed all Heads of Departments that too often excepting for the purpose of swelling allowances and transfer charges, no useful purpose has been served by

† *Vide* Appendix IX.

[President]

these transfers. Transfers should therefore not be regarded as normal and will generally be made only if an officer has abused his position. It has to be borne in mind that Government will not keep any officer in one place who takes advantage of his position and his relations with the people to obtain illegitimate benefits for himself or to satisfy his sentiments of hostility to some or of excessive friendliness to others. Otherwise, the policy of the Government is — it is a definite departure from what has been happening in the past — that officers be kept in their places as long as it is in public interests not to change them.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the Government whether these officers mentioned in the list are persons against whom there was absolutely no complaint by the people in the places?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE: Some of these officers are persons against whom there were no complaints. In some cases not only were there no complaints but, some of them have earned very good reputation in their stations and the Public have testified to their popularity.

Recruitment to the State Transport Department.

416. ***MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to lay on the table a statement according to caste of the persons recruited in the State Transport Department since Makaram last as (a) conductors,

(b) Inspectors, and
(c) Drivers?

MR. K. SANKARAN: The member is referred to the answer at pages 100 to 105 of Vol. XII No. 3 of the Proceedings of the Sri Mulam Assembly.

Abolition of toddy shops.

417. ***MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state the number of toddy shops abolished during the years 1110, 1111, 1112, 1113 and 1114 M. E. respectively?

MR. M. K. NILAKANTA AIYAR:

Year.	No. of toddy shops abolished.
1110.	22.
1111.	Nil.
1112.	31.
1113.	2.
1114.	2.

Representations from toddy shop contractors in Parur taluk.

418. ***MR. A. K. KUMARAN VAIDYAN**: Will the Government be pleased to state:

(a) whether they have received representations from toddy shop contractors in Parur taluk for remission of kist for the year 1115; and

(b) if the answer to part (a) is in the affirmative, the action taken regarding the matter?

MR. M. K. NILAKANTA AIYAR: (a) Yes. A representation was received from one contractor.

(b) The representation was rejected.

Dismissal of a Conciliation Officer.

419. *MR. K. NARAYANAPERUMAL NADAR: Will the Government be pleased to state whether at any time in 1115, a Conciliation Officer was dismissed from public service?

MR. M. RAMACHANDRA RAO: No.

MR. K. NARAYANAPERUMAL NADAR: May I know whether the Concilliation Officer in Alwaye was dismissed from public service?

MR. M. RAMACHANDRA RAO: No, Sir.

MR. K. NARAYANAPERUMAL NADAR: May I know why it was stated in Satyanesan's Bharathy that the Conciliation Officer in Alwaye was dismissed in 1115?

PRESIDENT: What is the name of that paper please?

MR. K. NARAYANAPERUMAL NADAR: I read in Satyanesan's Bharathy that a Conciliation Officer was dismissed from Public Service in 1115.

PRESIDENT: If the honourable member could bring to the notice of the Government that particular issue of the paper where he read that a Conciliation Officer was dismissed, Government will take steps against that paper for spreading lies.

District Hospitals in the State.

420. *MR. KANNANTHODATH JANARDANAN NAIR: Will the Government be pleased to state:

(a) the amount for which medicines were supplied to the various District Hospitals in the State in 1112, 1113 and 1114 M. E; and

(b) the number of inpatients and outpatients admitted into those hospitals in 1112, 1113 and 1114 M. E.?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE (a) The time and labour involved in collecting the informatition is out of all proportion to its utility.

(b) The member is referred to the Administration Reports of the Medical Department for the years 1112, 1113 and 1114 M. E.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from Government whether the in-patients and out-patients in those Hospitals are on the increase?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE: In some hospitals they are on the increase and in some others they have decreased.

MR. KANNANTHODATH JANARDANAN NAIR: May I know in which hospitals there is a definite decrease in respect of in-patients.

VAIDYASASTRAKUSALA DR. M. MRS. POONEN LUKOSE: In Chirayinkil, Kozhencherry, Mavelikara, Parasala there is decrease.

Daily collection in the Arukutty Chowkey.

421. * MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertala*): Will the Government be pleased to state:

(*a*) the distance between Arukutty Excise Office and Shertala Sub-treasury;

(*b*) whether the daily collection in the Arukutty Chowkey has to be remitted daily in the treasury:

(*c*) how the daily remittance is made:

(*d*) whether there is an escort while money is taken to the treasury;

(*e*) whether any allowance is given to the escort now;

(*f*) whether any allowance was given at any time before;

(*g*) if so, why that allowance was stopped subsequently·

(*h*) whether there is motor service between Shertala and Arukutty now; and

(*i*) whether it is not possible to carry the money-load in bus with bus-warrant to the escort?

MR. M. K. NILAKANTA AIYAR (*a*) 14 1/2 miles.

(*b*) Yes.

(*c*) The collections are sent every day from the Chowkey to the Shertala Sub-Treasury, in charge of Petty Officers and peons.

(*d*) Yes.

(*e*) No.

(*f*) Yes. The allowance was given for about one year during 1106 and 1107.

(*g*) For administrative reasons.

(*h*) Yes.

(*i*) Yes.

MR. N. NARAYANA KURUP: May I know from Government, for how many days in a month the escort who carries money for remittance in Shertala sub-treasury, has to walk a distance of 29 miles daily?

MR. M. K. NILAKANTA AIYAR: This has to be done every working day.

MR. N. NARAYANA KURUP: Then may I know, is it not cruel to make him walk that distance daily without any allowance?

MR. M. K. NILAKANTA AIYAR: Answer to part (f) may be perused. But I may state for the information of the member that a provision is proposed to be made in the Budget for 1116 for meeting such expenses.

Arukutty Chowkey and Alleppey Customs.

422. * MR. N. NARAYANA KURUP Will the Government be pleased to state:

(*a*) the working hours of the Land Customs;

(*b*) the working hours of the Arukutty Chowkey;

(*c*) the working hours of the Alleppey Customs;

(*d*) whether steam launches and canoes have to be inspected at night at Chowkeys;

(*e*) the revenue of the Arukutty Chowkey;

(*f*) the revenue of the Alleppey Customs;

(*g*) whether the Alleppey Customs staff is given any overtime allowance;

(*h*) whether the same or any overtime allowance is given to the Chowkey staff at Arukutty: and

(*i*) if the answer to part (*h*) is in the negative, why it is not given?

MR. M. K. NILAKANTA AIYAR: (*a*) The working hours of the Land Customs Houses are from 7 A. M. to 6. P. M. daily, but duty will not be levied after 5 P. M.

(*b*) From 7 A. M. to 6 P M. as in other Land Customs Houses.

(*c*) The working hours of the Alleppey Sea Customs are from 9-30 A. M. to 4 P. M.

(*d*) Yes; but only Steam launches and Canoes carrying passengers.

(*e*) The revenue of the Arukutty Chowkey for the year 1114 is Rs. 6,67,006-0-0 under customs and Rs. 5,58,582-19-14 under tobacco.

(*f*) The revenue of the Sea Customs, Alleppey, for the year 1114 is Rs. 10,38,574-7-8.

(*g*) Yes.

(*h*) No.

(*i*) The nature of the work in Land Customs Houses is such that all normal work is done only during prescribed office hours.

No duty is collected after 5 P. M. except on small quantities of goods carried as personal luggage by passengers. Nor are big consignments of goods (except perishables) examined and passed at night at Customs Houses.

In the Arukutty Chowkey, no overtime fee or allowance is given to any officer posted for duty during night, because such officers as are posted for duty during night are given sufficient relief from work during day time.

Enhancement of the rate of State Transport fare.

423. * **MR. S. GOVINDA PILLAI** (*Chirayinkil cum Nedumangad*): Will the Government be pleased to state:

(*a*) whether the State Transport Department propose to enhance the rate of bus fare;

(*b*) whether the present rates are higher than the rates charged when the services were private-owned;

(*c*) whether the number of buses running in each line are lesser than the number when the services were private owned; and

(*d*) whether the Government have considered the hardship and inconvenience to the public, by the lesser number of buses and higher rate of fare?

MR. K. SANKARAN: (*a*) The matter is under consideration.

(*b*) The present rates are generally lower.

(*c*) Yes.

(*d*) No hardship exists due to lesser number of buses and in view of answer to part (*b*) the latter part does not arise.

Paddy cultivation in the State.

424. * **MR. T. C. KESAVA PILLAI**: Will the Government be pleased to state:

(*a*) the total quantity of rice imported for the past 10 years average per year and the total area of paddy lands in the State; and

(*b*) whether on the face of the above situation, they have any scheme to increase the rice cultivation area?

MR. M. K. NILAKANTA AIYAR: (*a*) A total quantity of 24,60,697 tons of rice was imported during the past 10 years. Average per year is 2,46,069·7 tons. The total area of paddy lands in the state is 6,52,615 acres.

(*b*) The matter is being considered.

Co-operative Societies.

425. * **MR. T. C. KESAVA PILLAI**: Will the Government be pleased to state the total number of co-operative societies in the file today and also the number of Inspectors now in active service?

MR. M. RAMACHANDRA RAO: (1) Number of Co-operative Societies. 1485.

(2) Number of Inspectors 40.

MR. C. JEBAMONY NADAR: May I know what is the number of societies over which a Co-operative Inspector has to function?

MR. M. RAMACHANDRA RAO: On an average there will be about 50 societies over which an Inspector has to supervise.

MR. T. C. KESAVA PILLAI: May I know whether there are supervisors for every taluk in general for supervising the work of the Co-operative Societies?

MR. M. RAMACHANDRA RAO: Every taluk has a supervisor.

MR. T. C. KESAVA PILLAI: May I know the number of such supervisors?

MR. M. RAMACHANDRA RAO: I have no information on that point at present.

Dispensaries in Todupuzha taluk.

426. * **MR. P. V. MATHAI CHEMPARATHY** (*Minachil* cum *Todupuzha*): Will the Government be pleased to state whether they have received any representation from the public of Todupuzha requesting to open more dispensaries in Todupuzha taluk?

VAIDYASASTRAKUSALA DR. MRS. M. POONEN LUKOSE: Yes. There were requisitions for new dispensaries from certain pakuthies fo Todupuzha taluk.

Co-operative Societies.

427. *MR. G. VELU PILLAI (*Karunagapally* cum *Kartikapally*): Will the Government be pleased to state:

(*a*) the total number of Co-operative societies in the State at the beginning of the year 1115;

(*b*) the total number recommended to be cancelled by the various Inspectors in 1115; and

(*c*) the number of societies cancelled in 1115?

MR. M. RAMACHANDRA RAO (*Registrar of Co-operative Societies*):

(*a*) 1655.

(*b*) 207.

(*c*) 190.

Capital punishment given by Sessions Judges.

428. *MR. G. VELU PILLAI: Will the Government be pleased to state the number of Sessions cases in which capital punishment has been given by the various Sessions Judges in 1113, 1114 and 1115, and set aside by the High Court?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*):

	1113.	1114.	1115.
(*a*) No. of Sessions cases in which Capital punishment has been given by the various Sessions Judges.	5	3	2
(*b*) No. of such cases set aside by the High Court (commuted to life imprisonment).	2	2	0

Criminal Appeals.

429. *MR. G. VELU PILLAI: Will the Government be pleased to state:

(*a*) the number of criminal appeals in the High Court in which Advocates have been engaged at Sirkar cost; and

(*b*) the total amount thus paid to Advocates in 1114 and 1115, respectively?

MR. PUTHUPALLI S. KRISHNA PILLAI:

(*a*) 1114 — 32.
1115
(till 21-10-1115) — 19. Includes Referred Trials also.

(*b*) 1114 — Rs. 800.
1115
(till 21-10-1115) — Rs. 475.

Appointment in the Lower Division of the Public Service.

430. ***MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to lay on the table a statement by caste of those persons who were appointed by the Public Service Commissioner in the lower division of the public service since 1st Chingom 1115 up to the 10th Medom 1115?

DR. H. PARAMESWARAN (*Secretary in charge of the duties of the Public Service Commissioner*): The statement asked for is laid on the table.

MR. K. R. NARAYANAN: ഇതിൽ ൭൨ ഈഴവരെ നിയമിച്ചിട്ടുള്ളതായിക്കാണുന്നു. അതിൽ എത്രപേർ ഇപ്പോൾ സർവീസിൽ ഇരിക്കുന്നുണ്ടെന്നു പറയാമോ?

DR. H. PARAMESWARAN: It is not possible to give the answer now. But we think that there is a good percentage of them in service in respect of the lower division.

Rule re: the arrest of a judgment-debtor.

431. ***MR. C. JEBAMONY NADAR**: Will the Government be pleased to state:

(*a*) whether there is in Travancore any statutory law or rule having the force of law prescribing the procedure to be followed by a civil court in effecting the arrest of a judgment-debtor under its decree while the same debtor is under *Mohsul* having been already arrested by another Civil court of the same grade in the same station in execution of a decree of the latter court; and

(*b*) the present practice followed by the courts in such cases?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*a*) & (*b*) The matter is pending consideration judicially by the High Court.

High Court Judges.

432. ***MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) the number of High Court Judges at present;
(*b*) the names of the Judges; and
(*c*) how many are to continue as such after the vacation?

MR. PUTHUPALLI S. KRISHNA PILLAI: (*a*) Seven.

(*b*)

(i) Rao Bahadur Rajanithinipuna A. Verghese, Chief Justice.
(ii) Mr. Joseph Taliath, Judge.
(iii) Dr. G. D. Nokes, Judge.
(iv) Mr. K. Sankarasubba Iyer, Judge.
(v) Mr. H. Ramakrishna Iyer, Judge.
(vi) Mr. C. Madhavan Pillai, Ag. Judge.
(vii) Mr. K. K. Lukose, Ag. Judge.

(*c*) All.

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* *Vide* Appendix X.—P. 786.

MR. K. NARAYANAPERUMAL NADAR: May I know why the name of Mr. G. Parameswaran Pillai is omitted in the list of High Court Judges?

MR. PUTHUPALLI S. KRISHNA PILLAI: He is on special duty as Federation Special Officer.

MR. K. NARAYANAPERUMAL NADAR: What is the special work that he is doing?

PRESIDENT: That does not arise.

Arrest of Mr. N. S. Krishna Pillai.

433. ***MR. K. NARAYANAPERUMAL NADAR:** Will the Government be pleased to state:

(a) whether Mr. N. S. Krishna Pillai B. A., B. L., was arrested and detained in the month of Medom or Edavom 1115 in the Puthenchantai police lock-up; and

(b) whether he was, in the month of Edavom 1115, transferred to Aranmula police station?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) Yes. (in the month of Edavom 1115).

(b) Yes.

MR. K. NARAYANAPERUMAL NADAR: May I know why Mr. N. S. Krishna Pillai was transferred to Aranmula police lock-up?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: In his own interest. Further, it is a healthy place.

MR. M. RAMAIAH PILLAI: May I know the special reason for the arrest?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: This gentleman would not allow grass to grow under his feet and the moment he was released from the custody he was engaged in activities likely to lead to the disturbance of tranquility in the land.

Chief Customs Officer at Arukutty.

434. ***MR. N. NARAYANA KURUP:** Will the Government be pleased to state:

(a) who the Chief Customs Officer at Arukutty is;

(b) whether he has any inspection work in the ranges;

(c) if so, for how many days in the month;

(d) his main work on other days in office;

(e) whether it is not possible to conduct the Chowkey work with Sub-Inspector when the Chief Officer also is in the same place;

(f) whether the Chowkey Inspector has any power to dispose of any Chowkey offence:

(g) if not, who will dispose of the same, if found, when the Chief Customs Officer is on inspection works in ranges; and

(h) whether the offender has to be kept under custody till the Chief Officer returns?

MR. M. K. NILAKANTA AIYAR: (*a*) The Assistant Excise Commissioner, Arukutty.

(*b*) Yes.

(*c*) He is expected to be on tour for at least 15 days in the month.

(*d*) To attend to office correspondence and other works concerning his Division.

(*e*) No.

(*f*) Yes; certain minor offences involving infringement of customs rules *viz.*, cases of difference between manifested quantity of goods brought for export and the quantity found on actual verification at the customs.

(*g*) The cases which the Customs Inspector is not competent to dispose of will be forwarded to the Customs Officer in charge of the Range for further action according to Law.

(*h*) No. The Customs Officer in charge of the Range is competent to let the arrested person on bail.

Preparation of a list of employees by the Public Service Commissioner.

435. ***MR. T. C. KESAVA PILLAI**: Will the Government be pleased to state whether the Public Service Commissioner is in possession of the lists of all subordinates including temporary staff in the Medical, P. W., Education and other Departments?

DR. H. PARAMESWARAN: No.

Supply of sea brine to salt factories.

436. ***MR. T. C. KESAVA PILLAI**: Will the Government be pleased to state:

(*a*) whether they propose to supply sea brine to salt factories; and

(*b*) if the answer to part (*a*) is in the affirmative, the rate of cess they propose to impose on each maund of salt manufactured?

MR. M. K. NILAKANTA AIYAR: (*a*) & (*b*) The questions are under consideration.

Specification of charges in the Charge Sheet.

437. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI**: Will the Government be pleased to state:

(*a*) whether the cut motion No. 494 carried in the Sri Mulam Assembly on 1st August 1939 regarding the desirability of the specification in the charge sheets of the purpose for proving which each witness in the charge sheet is to be examined, has been given effect to; and

(*b*) the action taken by Government and the Department on the cut motion?

KHAN BAHADUR G. S. ABDUL KARIM SAHIB SUHRAWARDY: (a) Yes. The form of the charge sheet has been amended accordingly.

(b) The Form of the charge sheet, as amended has been prescribed by Notification R. Dis. No. 1395/40/Judl. dated 30-3-1940 published in the Government Gazette dated the 2nd April 1940 and the new form is being used by the Police for charge sheeting their cases.

High level tank in the Trivandrum Water Works.

438. ***MR. KANNANTHODATH JANARDANAN NAIR:** Will the Government be pleased to state:

(a) whether the high level tank in the Trivandrum Water Works overflowed at any time in 1113; and

(b) whether an enquiry was conducted regarding the matter if the answer to part (a) is in the affirmative?

MR. K. SANKARAN: (a) Yes.

There was a case of overflow.

(b) No.

Breaches on the Chengannur-Mannar road.

439. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI:** Will the Government be pleased to state:

(a) whether they have received a representation from a member of the Legislature regarding the deep breaches caused by the recent heavy flood on the Chengannur-Mannar road *via* Pandanad at Vanmuzhi;

(b) the steps taken in the matter; and

(c) whether the Executive Engineer at Quilon and the Assistant Engineer, Mavelikara, have inspected the breaches and submitted a report?

MR. K. SANKARAN: (a) Yes.

(b) An estimate for Rs. 2,670 for repairs to the breaches has been sanctioned.

(c) Yes.

Petitions for Improvements of the old tank in Marapattikkadavu.

440. ***MR. K. P. KOCHUKORA THARAKAN:** Will the Government be pleased to state:

(a) whether petitions have been received either by Government, the Chief Engineer or the recently abolished Irrigation Division Officer, praying for improvement, under the irrigation rules, of the old tank in Marapattikkadavu at the 3rd mile of the Kallil temple road Rayamangalam kara, Rayamangalam pakuthi, Kunnatnad taluk and pointing out that the paddy fields which were being irrigated from the above tank have now been left fallow consequent on the tank being filled up and a portion of it registered surreptitiously and converted into paddy field;

[Mr. K. P. Kochukora Tharakan.]

(*b*) if any such petitions have been received, the dates of those petitions;

(*c*) whether any action has been taken on those petitions;

(*d*) if so, the steps taken till now, and the stages at which the matter stands at present; and

(*e*) whether the above place is adjacent to the grazing land of about 700 acres in Survey No. 606/1 of the Asamanur and the Rayamangalam pakuthies, that the above tank provides drinking water for the cattle grazing on the above lands and that there is no other water convenience for such cattle?

MR. K. SANKARAN: (*a*) Yes.

(*b*) To the Dewan and the Chief Engineer on 20-2-1113, to the Division Officer, Irrigation, on 8-8-1113, 2-7-1938 and 15-7-1114.

(*c*) Yes.

(*d*) Detailed estimate is called for from the Division Officer.

(*e*) Yes, there is no other source of drinking water near the grazing land except a perennial spring at the valley of the hill near the proposed new tank.

MR. K. P. KOCHUKORA THARAKAN: അതിനടുത്തു് ടാങ്ക് കുഴിപ്പിക്കുന്നതിന് സൗകര്യമുണ്ടോ?

MR. K. SANKARAN: അതിനടുത്തുതന്നെ ഒരു ടാങ്ക് കുഴിപ്പിക്കുന്നതിനു എസ്റ്റിമേറ്റു് ആവശ്യപ്പെട്ടിട്ടുണ്ടു്.

Todupuzha Bridge.

441. ***MR. P. V. MATHAI CHEMPARATHY**: Will the Government be pleased to state:

(*a*) whether the Todupuzha bridge across the Todupuzha river is in an unsafe condition; and

(*b*) if so, what is the step taken by the Government?

MR. K. SANKARAN: (*a*) No.

(*b*) This does not arise.

Concreting the Trivandrum-Cape road.

442. * **MR. K. NARAYANAPERUMAL NADAR**: Will the Government be pleased to state:

(*a*) with regard to concreting Trivandrum-Cape road, whether tenders were called for;

(*b*) if tenders were called for, the names of the tenderers;

(*c*) whose was the lowest tender;

(*d*) whether the lowest tender was accepted; and

(*e*) if not, why not?

MR. K. SANKARAN: (*a*) Yes.

(*b*) (1) Messrs. The Combined Construction Corporation Ltd., Trivandrum.

(2) Messrs. The South Indian Construction Co., Ltd., Trivandrum.
(3) Messrs. Gannon and Dunkerley Ltd., Madras.
(4) Messrs. The Hindustan Construction, Co., Bombay.
(5) Messrs. Mekenzies Ltd., Madras.
(6) Messrs. The General Construction Co, Ltd., Madras.

(c) Messrs. The Combined Construction Corporation Ltd., Trivandrum.

(d) Yes.

(e) Does not arise in view of answer to part (d).

Varapuzha-Parur road?

443. *MR. A. K. KUMARAN VAIDYAN: Will the Government be pleased to state the amount spent in 1115 for maintaining the Varapuzha-Parur road?

MR. K. SANKARAN: Rs. 517-22-10 till the end of Medom.

Clerks in the Financial Section.

444 *MR. K. R. NARAYANAN: Will the Government be pleased to state:

(a) whether clerks in the Financial Section were taken from the Account Office;

(b) whether they were keeping their lien in the Account Office; and

(c) whether they are now reverted to their original rank?

MR. S. SUNDARARAJAN: (*Financial Secretary to Government*)

(a) Yes. Most of them.

(b) Yes.

(c) No.

Statement containing the names etc., of clerks in Financial Section.

445. *MR. K. R. NARAYANAN: Will the Government be pleased to lay on the table a statement containing the names, pay and scale of pay of clerks in the Financial Section with their acting service, if any?

MR. S. SUNDARARAJAN: The *statement is laid on the table.

Appointments by the Executive Engineer at Thuckalai.

446. * MR. K. R. NARAYANAN: Will the Government be pleased to lay on the table a statement, by caste, of appointments made by the present Executive Engineer at Thuckalai in connection with the present maintenance work in the M. S. road?

MR. K. SANKARAN: The †statement is placed on the table.

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*Vide Appendix XI—P. 787.

†Vide Appendix XII—P. 787.

M. S. Road and the Cape Road.

447. *MR. C. JEBAMONY NADAR: Will the Government be pleased to state:

(*a*) the width of the concreted surface of the M. S. road;

(*b*) the width of the tarcreted surface of the Cape road; and

(*c*) whether the mixing of the concrete was supervised by any officer of the Government?

MR. K. SANKARAN: (*a*) 14 ft. (*b*) 12 ft.

(*c*) Yes.

Trivandrum-Quilon road.

448. *MR. G. VELU PILLAI: Will the Government be pleased to state whether they have any proposal at present to concrete the Trivandrum-Quilon road?

MR. K. SANKARAN: Not at present.

Bridge at Chavara.

449. *MR. G. VELU PILLAI: Will the Government be pleased to state:

(*a*) whether the bridge at Chavara over the Chavara canal on the Quilon-Alleppey road is in a safe condition for traffic;

(*b*) how long it has been in this condition;

(*c*) whether heavy vehicles have to unload before entering the bridge at present;

(*d*) the probable number of buses that cross the bridge daily; and

(*e*) whether any amount has been sanctioned to repair the bridge?

MR. K. SANKARAN: (*a*) The bridge is not safe for heavy traffic.

(*b*) Since 3-7-1936.

(*c*) Yes.

(*d*) About 14.

(*e*) No. An amount of Rs. 760 has been sanctioned for investigation purposes.

MR. G. VELU PILLAI: With reference to part (*e*) may I know when that amount was sanctioned?

MR. K. SANKARAN: I claim notice.

MR. G. VELU PILLAI: May I know who conducted the investigation?

MR. K. SANKARAN: The Division Officer, Quilon.

MR. G. VELU PILLAI: May I know whether the investigation is already over?

MR. K. SANKARAN: For want of funds, the investigation is incomplete.

Appendix I.

Vide Answer to Question No. 382.

Statement showing the quantity of Ceylon Copra, Oil and Nuts imported into Travancore during the years 1112-1115.

Year.	*Copra.*			*Oil.*	*Nuts.*
	Cwt.	*Q.*	*lbs.*		
1112.	500	2	14	Nil.	Nil.
1113.	Nil.			Nil.	Nil.
1114.	Nil.			Nil.	Desiccated cocoanuts 28 lbs.
1115. (Up to Edavam)	Nil.			Nil.	Nil.

Appendix No. II.

***Vide* Answer to Question No. 386.**

The following statement shows the quantity of monazite, Ilmenite, Zircon and Sillimanite exported from Travancore during the years 1110-1114.

Name of Mineral.	1110.		1111.		1112.		1113.		1114.		
	Tons.	C.	Tons.	C.	Tons.	C.	Tons.	C.	Tons.	C.	lbs.
Monazite ...	2,227	0	3,433	11	2,642	1	5,048	3	2,998	19	0
Ilmenite ...	1,13,468	9	1,13,312	14	1,47,493	8	2,40,279	13	2,61,464	2	84
Zircon ..	292	0	2,917	7	970	6	1,921	13	351	11	0
Sillimanite ...	..	...	1	0	44	0	120	0	88	1	0

Appendix III.

Vide Answer to Question No. 396.

Statement showing the quantity of salt stored in the alloms up to the end of Medom 1115.

No.	Name of Factories.	1 to 2 years old Mds.	2 to 2½ years old Mds.	2 to 3 years old Mds.	3 to 4 years old Mds.	4 to 5 years old Mds.	above 5 years Mds.	Total Mds.
1	Old Allom Thamaracolam	10,994	620	358	...	...	...	11,972
2	Old Allom Extension	1,914	...	...	...	...	...	1,914
3	Swamy Allom	...	...	...	...	...	...	...
4	Kumary Allom	14,948	...	...	...	...	...	14,948
5	Chidambaranatha Nadar's Allom	...	...	...	...	...	...	...
6	Extension No. I (Avathanial)	98,932	13,716	2,040	434	740	...	1,15,862
7	Extension No. II (C. C. G. Toy)	1,58,624	...	...	...	...	...	1,58,624
8	S. M. K. M. Allom	13,200	...	...	...	...	...	13,200
9	S. S. Allom	1,77,800	...	...	...	...	...	1,77,800
10	S. M. G. N. Allom	2,54,146	7,200	...	...	...	...	2,61,346
11	Puthallom Factory	79,580	10,666	...	...	...	...	90,246
12	Ponnallom	16,278	...	...	...	...	...	16,278
13	S. C. T. M. Factory	86,243	...	...	...	...	...	86,243
14	Rajakamangalam Allom	8,080	...	...	...	...	...	8,080
15	Sri Chitrapon Factory	...	...	...	...	...	...	...
16	Sri Raghava Allom (Variyoor)	6,940	1,372	...	...	...	...	8,312
17	Thattarippu Odai Allom	5,580	...	...	...	...	...	5,580
18	Colachel Allom	..	...	...	...	...	...	...
19	Palkulam Salts	..	...	...	...	...	...	...
	Total	9,33,259	33,574	2,398	434	740	...	9,70,405

Appendix IV.

Vide Answer to Question No. 399.

Statement, by caste, of the number of persons in service in the Excise Department, appointed during the 2 years ending with the 1st Dhanu 1115, as per the selection of the Public Service Commissioner and otherwise.

		Appointed by the Public Service Commissioner.	*Appointed otherwise.*
A.	HINDU.		
1.	Brahmin	1	...
2.	Nair	25	...
3.	Kammala	4	...
4.	Nadar	11	...
5.	Ezhava	29	...
6.	Cheramar	3	...
7.	Other Hindu	29	...
B.	MUSLIM.	10	
C.	CHRISTIAN.		
1.	Jacobite	5	...
2.	Marthomite	6	1
3.	Syriac Catholic	15	1
4.	Latin Catholic	7	...
5.	S. I. U. C.	8	...
6.	Other Christian	22	...
	Total	**175**	**2**

Appendix V.

Vide Answer to Question No. 400.

Castewar statement of Proverthicars now in service in the Land Revenue Department.

	Caste.		*No.*
A.	HINDU		
	1. Brahmin	...	19
	2. Nair	...	292
	3. Other specified Hindu	...	42
	* 4. Kammala	...	1
	5. Nadar	...	...
	6. Ezhava	...	12
	7. Cheramar	...	9
	8. Other Hindu	...	9
B.	MUSLIM.	...	2
C.	CHRISTIAN.		
	1. Jacobite	...	17
	2. Marthomite	...	5
	3. Syriac Catholic	...	4
	4. Latin Catholic	...	...
	5. S. I. U. C.	...	1
	6. Other Christian	...	1
	Total	...	405

Appendix VI.

Vide Answer to Question No. 401.

Statement by caste of Gazetted officers in the Forest Department.

Caste		Conservator.	P. A. to Conservator.	Deputy Conservator.	Assistant Conservator.	Ag. Assistant Conservator.*	Total.
A. Hindu.							
Brahmin	...	...	1	...	...	...	1
Nayar	...	1	...	2	3	1	7
Kammala	...	...	...	...	...	...	...
Nadar	...	...	...	...	...	...	...
Ezhava	...	...	...	...	...	...	...
Cheramar (Pulaya)	...	...	...	...	...	...	...
Other Hindu	...	...	...	...	...	...	...
B. Muslim.	...	...	...	...	...	1	1
C. Christian.	...						
Jacobite	...	...	...	...	1	...	1
Marthomite	...	...	...	...	...	...	...
Syriac Catholic	...	...	...	...	...	...	...
Latin Catholic	...	...	...	...	...	1	1
South Indian United Church	...	...	...	...	...	...	...
Other Christian	...	...	...	...	...	...	...

Appendix VII.

Vide Answer to Question No. 402.

List of old tanks improved in the taluks of Thovala, Agasteeswaram, Kalkulam and Vilavancode from 1-1-1110 to 1-1-1115.

THOVALA.

1 Improvements to Somadevan tank at Bhuthapandy.
2 do. Vandanerikulam in S. No. 4455 of Thovala pakuthi.
3 Repairs and restoration of tanks under Kodayar Project. Constructing a surplus weir to Vandanery kulam in S. No. 4455 Thovala pakuthi.
4 Improvements to Thirupathisaram tank in Thirupathisaram pakuthi.
5 do. Vembathoorkulam in Thirupathisaram pakuthi.
6 do. Edayankulam in S. No. 2359 of Chempakaramanputhoor pakuthi.
7 do. Aminakulam in S. No. 629/2 of Esanthimangalam pakuthi.
8 do. Poothapandikulam in S. No. 1463/1 of Chempakaramanputhoor pakuthi.
9 Restoration of Karumankulam in S. No. 2921 of do.
10 Improvements to Veeramarthanputhoor Periakulam in S. No.4068 of Thovala pakuthi.
11 Improvements to Melakannankulam S. No. 1444/2 of Chempakaramanputhoor pakuthi.
12 do. Ozhukanerykulam in S. No. 303 of Esanthimangalam pakuthi.

AGASTEESWARAM.

1 Improvements to Kumarankulam south of 2/2 Anjugramam road.
2 do. Amaravathikulam in S. No. 1056/520 of Marungoor pakuthi.
3 do. Thenikulam, S. No. 3760 of Vadaseri pakuthi—constructing an irrigation sluice to the tank and reconstructing the damaged cross bars in the surplus kal.
4 do. Mudaliarkulam S. No. 4916 in Kanniakumari pakuthi.
5 do. Pranthanerykulam S. No. 4725 of Kanniakumari pakuthi.
6 do. Pallakulam S. No. 2651 of do.
7 do. Balasoundarykulam S. No. 4994 of do.
8 do. Vailakulam S. No. 11/771 of Kulasegarapuram pakuthi.
9 do. Ramanputhoorkulam in S. No. 713/10 of Agasteeswaram pakuthi.

10 Improvements to Pannikundukulam in Agasteeswaram pakuthi.
11 do. Pappanakulam in S. No. 511/A/1 in Eraviputhoor pakuthi.
12 do. Kanakulam in S. No. 9065 of Neendakara B Dn. pakuthi.
13 do. Ottapanakulam in S. No. 4243/3 of Kanniakumari pakuthi.
14 do. Mandaramputhoorkulam in S. No. 987 of Agasteeswaram pakuthi.
15 do. Karimpattukulam in S. No. 1780 of do.
16 do. Nachimarkulam in S. No. 9015 of Neendakara B Dn. pakuthi.
17 do. Pracolam in S. No. 1602/1 of Eraviputhoor pakuthi.
18 Improvements to Punnakulam in S. No. 2589 of Kanniakumari pakuthi.
19 do. Variyoor Puthukulam in S. No. 3730/2 of do.
20 do. Nachiyarkulam, Kadankulam and Kadampattukulam in Eraviputhoorkulam.
21 do. Athikulam in S. No. 2488/3 of Vadaseri pakuthi.
22 do. Constructing a well sluice to the Muthukuzhimadai in Therkulam, Theroor pakuthi.
23 do. Chengaloorkulam S. No. 2855 of Kanniakumari pakuthi.
24 do. Velakannarkulam in S. No. 4741 of Agasteeswaram pakuthi.

KALKULAM TALUK.

1 Improving Choorathoorkulam in S. No. 3409 of Valvachagoshtam pakuthi.
2 do. Kottuthalakulam in S. No. 9643 of Colachel pakuthi.
3 do. Kadamancottukulam in S. No. 2842 of Valvachagoshtam pakuthi.
4 do. Kaithakulam in S. No. 2883 of Kappyara pakuthi.
5 do. Palachakulam in S. No. 539 of Thiruparappu pakuthi.
6 do. Kattukulam, S. No. 2099 of Meykode pakuthi.
7 do. Nalloorkulam, S. No. 1873/1 of Aloor pakuthi.
8 do. Kadiapattanam Periakulam in Manavalakurichi pakuthi.
9 do. Kusavankulam, S. No. 5596/1 of Aloor pakuthi.
10 do. Anayadi Perumkulam in S. No. 233 of Mekode pakuthi.
11 do. Panavilagathukulam, S. No. 3105 of Kappiyara pakuthi.
12 do. Muthukuzhychirakulam in S. No. 47 of Ponmana pakuthi.
13 do. the tank in S. No. 9590 of Thalakulam pakuthi.
14 Further improvements to Kottuthalakulam in S. No. 9643 of Colachel pakuthi.
15 Improving Kadamettukulam, S. No. 57 of Thiruvankode pkauthi.
16 do. Puthenkulam and Valiakulam, S. No. 3878 in Eraniel pakuthi.

17 Improving Chirakulam in S. No. 5403 of Kothanalloor pakuthi.
18 do. Poovankottu Perumkulam in S. No. 743 of Meykode pakuthi.
19 do. Ancottukulam in S. No. 1832 of Meykode pakuthi.
20 do. Thombottukulam in S. No. 1573/1 of do.
21 do. Anayannikulam in S. No. 746 of Atoor.
22 do. Cheriaparakulam in S. No. 1005 of Mekode pakuthi.
23 do. Kulavallikulam in S. No. 2015/1 of Meykode pakuthi.
24 do. Pullanikulam in S. No. 2163/1 of do.
25 do. Parasserikulam in Aloor pakuthi.
26 do. Kollayilkulam in S. No. 1205 of Thiruvancode pakuthi.
27 do. Puthenkonathukulam in S. No. 3113/10/1, Aloor pakuthi.
28 do. Sasthankulam in S. No. 849 of do.
29 do. Thodappankulam in S. No. 3113/4 of do.
30 do. Nedumkottukulam in S. No. 2997 of do.
31 do. Madayiduvakulam in S. No. 1629 of do.
32 do. Chemmankulam in S. No. 4918 of Colachel pakuthi.
33 do. Anthrakulam in S. No. 3113/9/1 of Aloor pakuthi.
34 do. Pullakulam in S. No. 3142 of do.
35 do. Kurandikottukulam in S. No. 4969/A of Kalkulam pakuthi.
36 do. Kuthukalkulam in S. No. 9967 of Thalakulam pakuthi.
37 do. Punkarasellankulam in S. No. 2197 of Aloor pakuthi.
38 do. Kannamparakulam in S. No. 5725 of Kalkulam pakuthi.
39 do. Vathiarkulam in S. No. 114 of Valvachagoshtam pakuthi.

VILAVANCODE TALUK.

1 Improving Thudichikulam in S. No. 2914 of Nattalam pakuthi.
2 do. Iyyankoil Puthukulam in S. No. 2966 of Nalloor pakuthi.
3 do. Pammankulam in S. No. 354 of do.
4 do. Nunayankulam in S. No. 2481 and 2482 of Nattalam pakuthi.
5 do. Mookarayankulam in S. No. 200 of Nattalam pakuthi.
6 do. Nedumkulam in S. No. 3681 of Killiyoor pakuthi.
7 do. Kozhinadakulam in S. No. 2786 of do.
8 do. Kalkulam in S. No. 2548 of Midalam pakuthi.
9 do. Karakottukulam in S. No. 62 of Kunnathoor pakuthi.
10 do. Amsikulam in S. No. 864 of Pynkulam pakuthi.
11 do. Karayankulam in S. No. 770 of Kunnathoor pakuthi.
12 do. Pottakulam, S. No. 371 of Pynkulam pakuthi
13 do. Mathikulam, S. No. 3248 of Nattalam pakuthi.
14 do. Thamarakulam, S. No. 1004 of Kunnathoor pakuthi.
15 do. Pidarikulam in S. No. 1323 of Killiyoor pakuthi.
16 do. Kattukulam, S. No. 659 of Arudesapattu pakuthi.
17 do. Mannankulam in S. No. 133 of Midalam pakuthi.
18 do. Iluppakulam in S. No. 199/2 of Midalam pakuthi.
19 do. Chemparathikulam in S. No. 114/A of Pynkulam pakuthi.

20	Improving	Kaithakulam in S. No. 566 of Nattalam pakuthi.
21	do.	Erattakulam in S. No. 3522 of Nattalam pakuthi.
22	do.	Mannankuzhikulam in S. No. 529 of Killiyoor pakuthi.
23	do.	Erayankottukulam in S. No. 4932/A of Nattalam pakuthi.
24	do.	Allankulam in S. No. 1636 in Killiyoor pakuthi.
25	do.	Naduvathukulam in S. No. 3235/A of Midalam pakuthi.
26	do.	Kattukulam in S. No. 1229 of Vilavancode pakuthi.
27	do.	Puliyankulam in S. No. 2887 of Pakode pakuthi.
28	do.	Kandanchira tank in S. No. 2819/A of Edakkode pakuthi.
29	do.	Meppalakulam in do.
30	do.	Chembankulam in do.
31	do.	Erathankottukulam in Methukummel pakuthi.
32	do.	Vallitherkulam in S. No. 2419 of Arumana pakuthi.
33	do.	Mekkarakulam in S. No. 3372 of Pakode pakuthi.
34	do.	Allankulam in do.
35	do.	Pappattukulam in Methukummel pakuthi.
36	do.	Cherankulam in S. No. 1153/1, Vilavancode pakuthi.
37	do.	Perumkulam in S. No. 4762 of Methukummel pakuthi.
38	do.	Thazhakulam in S. No. 2455 of Edakkode pakuthi.
39	do.	Muthuvallocrkulam in Vilavancode pakuthi.
40	do.	Konathukulam in Arumana pakuthi.
41	do.	Meloorkulam in Methukummel pakuthi.
42	do.	Kallikottukulam in S. No. 1851 of do.
43	do.	Mullaserikulam in Palukal pakuthi.
44	do.	Thamarakulam in S. No. 2813 of Arumana pakuthi.
45	do.	Chakranalloor tank in S. No. 3013 in Kaliyal pakuthi.
46	do.	Kurakottukulam in S. No. 3885 of Edakode pakuthi.
47	do.	Paraparakulam in S. No. 2289/A of Arumana pakuthi.
48	do.	Makizhakulam in Palukal pakuthi
49	do.	Erathavoor Chirakulam in Vilavancode pakuthi.
50	do.	Kurakottukulam in Pakode pakuthi.
51	do.	Nedunkulam in Arumana pakuthi.
52	do	Thazhakulam in Pakode pakuthi.

Appendix VIII.

Vide Answer to Question No. 414.

Statement, by caste, of candidates selected for admission to the Medical College, Madras, from 1932 onwards.

HINDU	
Brahmin	2
Nair	7
Ezhava	1
Other Hindu	4
MUSLIM	1
CHRISTIAN	
Jacobite	2
Syrian Christian	4
S. I. U. C.	3
Other Christian	1

Appendix IX.

Vide Answer to Question No. 415.

List of Medical Officers in the Medical Department who have been working in the same station for more than three years.

Name.	*Designation.*	*Station.*
Mr. B. Dasannachar	Surgeon	Fort Hospital, Trivandrum.
,, Samuel John	Do.	General Hospital, Trivandrum.
,, P. Parameswaran Pillai	Deputy Surgeon	District Hospital, Parur.
Captain S. Christian	Do.	General Hospital, Trivandrum.
Mr. K. Kesava Pillai	Do.	District Hospital, Chirayinkil.
,, R. Ramakrishna Pillai	Do.	Do. Do. Alleppey.
,, P. Eapen	Asst. Surgeon	Do. Do. Nagercoil.
,, T. K. Kuruvilla	Do.	Do. Do. Muvattupuzha
,, P. N. Narayanan	Do.	Do. Do. Alleppey
,, A. Krishnan Tampi	Do.	Do. Do Neyyattinkara
Miss Sosa Philiph	Do.	Women and Children's Hospital, Trivandrum.
Mr. K. Kuppuswamy Iyengar	Do.	Palace Dispensary.
,, D. Ramanathan	Do.	General Hospital, Trivandrum.
,, P. Parameswara Iyer	Do.	Do. Do. Do.
Srimathi G. Kalliyani Amma	Do.	District Hospital, Mavelikara.
Mr. C. V. Padmanabha Pillai	Do.	District Dispensary, Pulinkunnu.
,, A. O. Jacob	Radiologist	General Hospital, Trivandrum.
,, V. R. Narayanan Nair	Asst. Surgeon	Do. Do. Do.
,, A. M. Clement	Do.	Do. Do. Do.
,, A. S. Johnson	Do.	Hospitals, Oolampara.
,, C. J. Titus	Do.	General Hospital, Trivandrum.

Appendix IX—(*contd.*)

Name.	*Designation*	*Station.*
Mr. P. A. Velayudhan Pillai	Assistant Surgeon	Ophthalmic Hospital, Trivandrum.
,, Kurien George	Do.	District Hospital, Kottayam.
,, Y. Rama Iyer	Sub-Asst. Surgeon	Dist. Dispesnary, Ambalapuzha.
,, M. V. Doraiswamy	Do.	Do. Do. Vidura.
,, P. R. Parameswara Kaimal	Do.	Do. Do. Edathua.
,, A. Swaminatha Pillai	Do.	Do. Do. Kothamangalam.
,, N. Sesha Iyer	Do.	Do. Do. Ayikudi.
,, N. K. Kurup	Do.	Do. Do. Chengannur.
,, V. Madhavan Valiathan	Do.	Do. Hospital Thiruvalla.
Srimathi G. Meenakshy Amma	Do.	Women and Children's Hospital
Mr. K. C. John	Do.	District Hospital, Parur.
Srimathi K. P. Janaki	Do.	Women and Children's Hospital

Appendix X.

***Vide* Answer to Question No. 430.**

Statement by caste of persons recruited in the Lower Division since 1st Chingom 1115 up to 10th Medom 1115.

HINDU :		232
Brahmin ...	10	
Nair ...	43	
Othe specified Hindu ...	23	
Kammala ...	24	
Nadar	23	
Ezhava ..	52	
Pulaya ...	19	
Other Hindu ...	38	
MUSLIM :		40
CHRISTIAN :		167
Jacobite ...	32	
Marthomite ...	19	
Syriac Catholic .	39	
Latin Catholic...	30	
S. I. U. C. ...	20	
Other Christian.	27	
Total ...		439

Appendix XI.

Vide Answer to Question No. 445.

Statement of clerks in the Financial Section.

No.	*Name.*	*Pay.*	*Scale of pay.*	*Remarks.*
1	K. Kumara Pillai	120	100-5-125	Permanent (on other duty.)
2	K. Madhavan Pillai	115	do.	Permanent
3	W. J. Varghese	*115	75-5-100	do. *Pay in the Accountant General's Office.
4	M. Muhamad Ibrahim	95	do.	do.
5	T. K. Sivaramakrishna Iyer	85	do.	do.
6	M. A. Narayanan	85	do.	do.
7	S. Ananthasubramonia Iyer	60	40-5-70	do.
8	S. Lakshmana Rao	50	do.	do.
9	K. Velu Pillai	60	do.	do.
10	R. Ramakrishna Pillai	55	do.	do.
11	M. Balakrishnan Nair	A. 45	40-5-70	Temporary
12	B. M. Culas	A.A.40	do.	Acting (2 years, 7 months and 16 days.)

Appendix XII.

Vide Answer to Question No. 446.

Statement of appointments made by the present Executive Engineer at Thuckalai for the present maintenance of the M. S. Road.

Nil.

LEGISLATIVE BUSINESS.

THE TRAVANCORE DEBT RELIEF BILL.

PRESIDENT : Is it the desire of the House to go into Committee to-day also ?

MR. S. CHATTANATHA KARAYALAR : Sir, I wish to submit one word. The Select Committee to which the Debt Relief Bill was referred has not concluded its work. But it has reached certain definite conclusions on the main provisions of the Bill and in the light of those changes, certain clauses require re-drafting. So, on the main conclusions arrived at, the Committee will be submitting a preliminary report shortly. We want some more time to resume the work and finish it.

PRESIDENT : It appears to me that perhaps the best plan would be, subject to what the honourable House has to say, for the Committee to go on with the work to-day and may either as a committee or by means of a sub-committee charge itself with the duty of making such draft changes which would be necessary for the purpose of carrying out the intentions of the Committee. Having regard to the fact that the Budget Session commences about the 18th July and as it is expedient if possible, that some kind of statutory form is given to the ideas of the Legislature before that time, the plan would be for the Committee to expedite its work by sitting for to-day and finishing the work.

MR. PUTHUPALLI S. KRISHNA PILLAI : I am afraid the work of the Committee would not be over by 5.O' clock to-day. The meeting of the Council commences next Monday and continues the next day also.

PRESIDENT : Therefore, if the work is not finished by to-day, the Committee could meet next Wednesday. There is the fact that the report of the Committee has to be published in the Gazette.

MR. PUTHUPALLI S. KRISHNA PILLAI : There must be sufficient interval between the publication of the Report and the consideration of it. Hence I propose that the Assembly may meet again about 4 or 5 days before the next Budget Session.

(The House agreed to this suggestion).

PRESIDENT : The Assembly will now adjourn *sine die.*

In the meanwhile, the Committee will go on with its work to-day and proceed as far as possible. In the event of the work not being finished to-day, it may sit on next Wednesday also. It is hoped that, by Wednesday evening, a draft bill will be forthcoming. The report of the Committee along with the draft bill have to be published immediately after. As at present advised, subject to any unforeseen contingency, this House will be summoned about 4 or 5 days before the Budget Session for the purpose of considering the Debt Relief Bill.

The House adjourned *sine die* at 11-40 A. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

Annexure.

Government of His Highness the Maharaja of Travancore.

G. O. D. Dis. No. 2053/39/Legis., dated the 8th September 1939.

PUBLIC ACCOUNTS COMMITTEE.

Read :—

Under Section 79 of the Travancore Legislative Rules issued under date the 29th October 1932, the Government of His Highness the Maharaja have been pleased to constitute a Committee on Public Accounts composed of the following members for the year 1115 M. E.

1. The Dewan of Travancore — *Chairman.*

ELECTED MEMBERS.

2. M. R. Ry. N. Krishna Aiyar, Avl., M. A., B. L., *Member, Sri Chitra State Council.*
3. ,, M. G. Kesava Pillai, Avl., B. A., B. L., *Member, Sri Mulam Assembly*
4. ,, P. Narayana Pillai, Avl., B. A., B. L., *Member, Sri Mulam Assembly.*

NOMINATED MEMBERS.

5. The Chief Secretary to Government.
6. The Financial Secretary to Government.

(By Order)

M. K. Nilakanta Aiyar,

Chief Secretary to Government.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE
ON THE
AUDIT REPORT AND APPROPRIATION ACCOUNTS
FOR THE YEAR 1113 M. E.

1. The Committee on Public Accounts for the year 1115 M. E. constituted under Government Order D. Dis. No. 2053/39/Legis., dated 8-9-1939, held its sitting on the 16th December 1939.

2. The Audit Report and Appropriation Accounts for the year 1113 prepared by the Accountant General was examined in detail.

APPROPRIATION ACCOUNTS (VOTED.)

3. *Comparison of actuals with grants.* A statement showing the total grant voted by the Legislature, Supplementary and Additional grants sanctioned during the year, the expenditure against these grants and the savings, is given below :—

Particulars.	Expenditure charged to revenue including working expenses.	Capital expenditure and investments on reproductive works.	Loans and Advances	Total.
Amount voted by the Legislature .	1,63,60,724	81,61,712	15,606.00	2,60,83,036
Supplementary grants voted .	1,24,761	1,00,000	...	2,24,761
Additional grants sanctioned under Section 32 of Act II of 1108 .	4,54,868	3,69,000	...	8,23,868
Reappropriations .	150	...	...	150
Surrenders .	2,500	...	...	2,500
Final aggregate grant .	1,69,37,703	86,30,712	15,60,600	2,71,29,015
Final aggregate expenditure .	1,64,87,235	62,73,288	15,99,861	2,43,60,384
Savings .	4,50,468	23,57,424	—39,261	27,68,631

4. *Savings.* A statement showing the savings during 1112 and 1113 M. E. is given below for comparison :—

Year	Expenditure charged to revenue including working expenses.	Capital Exdenditure and investments on reproductive works.	Loans and Advances.	Total.
1112	8·08	33·62	5·16	46·86
1113	4·51	23·57	—·39	27·69

The savings amounted to Rs. 27·69 lakhs or 10·21 per cent of the final aggregate grant during 1113 against 18·35 per cent. during 1112. Thus it may be seen that there is considerable improvement in budget forecasting even though the expenditure slightly exceeded the final grant under Loans and Advances. A list of the budget heads under which savings occurred is given on pages 62 to 64 of the report. The reasons for the savings are explained in the respective appropriation accounts.

As in 1112, the major portion of the savings occurred under Capital Expenditure and Investment on Reproductive Works. The main items of capital expenditure under which the savings occurred with brief explanations for the same are given below :—

	Lakhs of rupees.
Town Planning Scheme	0·51
The Council Chamber	0·77
Extension of the Public Offices Building—South Wing	1·50
University Buildings	0·88
Construction of Tobacco Bankshall	0·50
Trivandrum Electric Supply	0·21
Pallivasal Hydro-Electric Scheme	7·92
Telephone—Trunk Line	0·56
Broadcasting	1·45
Willingdon Water Works	0·80
Water Supply to the Municipal Towns of Alleppey, Shencottah, &c.	4·68
Trivandrum Drainage Scheme	2·70

The savings under Town Planning Scheme are stated to be due to short outlay on works consequent on the delay in getting sanction to estimates, delay in the acquisition of lands, &c. Under Council Chamber the savings resulted on account of the fact that though the work was practically finished during the year payments were not made as some finishing works then remained to be done. The Extension of the Public Offices South Wing was not taken up, as Government ordered that it might lie over and as such the full provision made therefor lapsed. The savings under University Buildings occurred due to the fact that no substantial works could be taken up during the year as the University began to function only from the middle of the year. The provision made for the construction of a Tobacco Bankshall at Trivandrum lapsed as the revised estimate for the work was not ready.

Under Trivandrum Electric Supply the savings occurred under (i) Purchase and Erection of a 7th Generating Set, (ii) Extension of overhead lines and (iii) service connections. Under item (i) it was due to the low rate of the accepted tender and under items (ii) and (iii) due to the fact that the requisitions for connections, &c., on which the expenditure was dependent did not come up to the anticipated level.

Under Pallivasal Hydro Electric Scheme, the savings were partly under Civil Works controlled by the Chief Engineer and partly under Electrical Works carried out by the Electrical Engineer. The savings

under Civil Works are stated to be due to the fact that works could be taken up only during certain months of the year, while under the Electrical Works, the savings resulted on account of the delay in the completion of the Civil Works. The savings under Telephone was due to the fact that though the grant under this head was augmented by diversion of Rs. 1·48 lakhs expecting the receipt of certain materials ordered, the addition proved wholly unnecessary. Under Broadcasting the savings were due to the fact that the works could not be taken up until the staff deputed for training at Delhi returned.

Under the Willingdon Water Works the short outlay was due to non-payment in respect of certain works as the claims could not be finally settled during the year. In the case of the water supply schemes in the Municipal towns of Alleppey, &c., the savings are stated to be due to the delay in the supply of pipes and specials, disbursement of certain claims for works done and also due to the unusual rains during certain months of the year which prevented much progress being made with the works. Under Trivandrum Drainage scheme, savings occurred as a result of the delay in the acquisition and handing over of lands required for the work, the non-payment of awards by the Revenue Department during the year, etc.

5 *Additional expenditure authorised under Section 32 of Act II of 1108.* A statement showing a list of expenditure authorised by Government under Section 32 of Act II of 1108 is given as Annexure A. It may be seen therefrom that a sum of Rs. 8,23,868 was authorised by Government under this section during the year under report as against Rs. 2,47,133 in the previous year. The purposes for which these amounts were sanctioned, detailed in the statement on pages 53 to 57 of the Audit Report and Appropriation Accounts were examined and we found that such authorisation was resorted to only under extremely emergent circumstances. We noted that statements of expenditure authorised by Government under Section 32 during the period between two meetings of the Legislature were placed before the House at the next meeting by the Financial Secretary to Government for the opinion of the House.

6. *Reappropriation.* During the year a sum of Rs. 150 was re-appropriated from the grant under Administration of Justice-Civil and Sessions Courts to the non-votable item "Batta to witness". We noted that this was admissible under the rules. There was no irregular re-appropriation during the year.

7. *Excess Expenditure under voted grants.* A statement of grants under which the actual expenditure exceeded the final aggregate grant during the year is appended to the report as Annexure B. It may be seen therefrom that excess expenditure occurred during the year under 7 grants as against 5 during 1112. These were examined and the reasons for the excess are given below :—

The excess expenditure under grant No. XIII General Administration, Heads other than the Financial Secretariat, Account Office, &c., occurred chiefly under Huzur Office Contingencies-Telephone charges, Improvements to the Huzur Tower Clock, Office expenses and miscellaneous, &c., and partly under Revision of the State Manual. Under 22 Industries, the excess was largely due to the expediting of the P. W. portion of the works connected with the Ceramic Factory and the adjustment of a share of expenditure incurred on establishment and tools and plant under 31-Buildings, Communications, &c., to this head. The excess under Registration occurred on account of the payment of leave allowances to Sub-Registrars and their establishment for which no separate provision was made in the budget. The adjustment during 1113, of the value of yarn supplied from the Sales Depot, Trivandrum, to the Central Prison in 1111, resulted in the small excess expenditure under Jail Manufactures. Under Stationery and Printing the excess was mainly under Printing due to heavy expenditure incurred in connection with the printing of the Malayalam Readers, copy books &c., The excess under Anchal was due to the payment of leave allowances to the Anchal Office establishment. Under Mint Advance the excess was due to the fact that silver coins worth Rs. 2 lakhs were obtained during the year. The apparent excess is due to the adjustment of the gain by debit to this advance head and credit to gain on silver coinage. The actual expenditure for minting silver coins for the face value of Rs. 2 lakhs was well within the original budget grant.

8. *Unnecessary Supplementary grants (voted).* The various items under which the grants originally voted were supplemented by additional grants either voted by the Legislature or sanctioned by Government under Section 32 of Act II of 1108 and where the additions proved to be wholly unnecessary are given in Annexure C. The Financial Secretary to Government had obtained from the Heads of Departments concerned detailed information regarding the circumstances under which the additional grants were sought for when the expenditure was capable of being accommodated within the original sanctioned grant. These were scrutinised and we found that these additional grants were mostly obtained during the early part of the year under report when the Departmental Heads were not in a position to estimate any savings in the sanctioned grants. In certain cases we observed that the items for which the supplementary grants were obtained related to "new services" for which funds could not be found by reappropriation from the sanctioned grant. For further details *vide* para 7 of the proceedings.

9. *New Service.* Under Rule 10 of the Public Accounts Committee Supplemental Rules, the Financial Secretary to Government had placed before the Committee a list of supplementary grants obtained by the Government for schemes of new expenditure treated as "New Services" for the opinion of the Committee as to whether they are "New Services" or not (*vide* Annexure D). The list was scrutinised and approved by the Committee.

Audit Report.

10. This part of the report deals with the cases of financial irregularities in the several departments detected in audit or reported to Government by the Departmental Officers. The cases of defalcations, misappropriations, &c., excepting those involving amounts less than Rs. 10 are detailed on pages 194 to 209 of the Audit Report and Appropriation Accounts. We noted that exemplary punishments were meted out to the persons responsible for the defalcations and irregularities.

11. The irregularities on works outlay are dealt with in a separate chapter on pages 210 to 224 of the Audit Report and Appropriation Accounts. The principal types of irregularities found are detailed on page 210 and instances supporting these are given on the subsequent pages.

12. Chapter IV of the Audit and Appropriation Report deals with the audit activities of the Accountant General's Office during 1113. It may be seen therefrom that the accounts of 136 offices and institutions were audited by the Outside Audit Branch of the Accountant General's Office and that the irregularities detected were brought to the notice of the authorities concerned or Government. It is stated that during the year 9 P. W. Offices, 2 Divisional Treasuries and 6 Sub Treasuries were taken up for audit besides the special audit of 9 institutions ordered by Government. In the matter of revenue receipts it is stated that monthly statements were sent as usual to the Heads of Departments concerned to enable them to exercise a proper control over the revenue collections and to reconcile the difference between the figures received from the District Officers and the demand statements.

13. As in the previous year we append to our report the minutes of our proceedings which we consider should be treated as part of this report.

PROCEEDINGS OF THE MEETING OF THE PUBLIC ACCOUNTS COMMITEE DATED SATURDAY THE 16TH DECEMBER 1939.

PRESENT :—

1. M. R. Ry. M. K. Nilakanta Aiyar, Avl.,
   Chief Secretary to Government.
2. „ M. Govinda Pillai, Avl.,
   Financial Secretary to Government.
3. „ N. Krishna Aiyar, Avl.,
   Member, Sri Chitra State Council
4. „ M. G. Kesava Pillai, Avl.,
   Member, Sri Mulam Assembly.
5. „ P. Narayana Pillai, Avl.,
   Member, Sri Mulam Assembly.

M. R. Ry., S. Sundararajan, Avl., Ag. Accountant General was also present.

1. The Committee met in the Dewan's room, Public Offices, at 11-30 A. M.

2. Under authorization by the Dewan, the Chief Secretary to Government presided.

3. The question, as to whether it would not be more useful to have the Audit and Appropriation Report of a year ready for review before the presentation of the next Budget was first raised. The President pointed out that, although the Report regarding the accounts of 1112 was ready for the Committee's consideration even in August last year, the report regarding the accounts of 1113 had been delayed till December this year. The Financial Secretary assured that the Report regarding the Accounts of 1114 would be got ready earlier and said that the new Accountant General would see to it.

4. *Kuttanad Water Supply.* Mr. N. Krishna Aiyar referred to page 112 of the Report and asked for details as to the sum of Rs. 5776 expended in 1113. He was informed that the members of the Committee had the right, if they considered it necessary, to request Government to summon the Heads of Departments whom they would like to interrogate for purposes of information or explanation of points which needed elucidation according to them and that, in the absence of such previous requisition, the only possibility was to get the information from the Head of the Department concerned.

5. *Survey of Minor Circuits.* Mr. P. Narayana Pillai referred to page 82 of the report and asked whether the work of Survey of Minor Circuits was completed and if not, why a portion of the provision made for the purpose was allowed to lapse. He added that the work could have been pushed through further by the appointment of additional hands for the purpose.

The President explained the nature of the work, and stated that the work had to be done very carefully and that by experienced surveyors as otherwise it would lead to further complications. It was pointed out that the normal staff of the department could not attend to this special work and that therefore fresh staff had to be appointed for the purpose, and that the nature of the work was such that it could not be hurried through.

6. *Irrigation Fund.* Mr. Narayana Pillai also referred to the lapsing of funds under the Irrigation Fund and asked whether the works could not be proceeded with more vigorously so as to utilise all the funds provided for the purpose. The Financial Secretary to Government pointed out that the unspent balance in the allotment under this head would not lapse but was added on to the corpus of the Irrigation Fund so that the delay would not prejudice the work.

7. *Unnecessary Supplementary grants (voted).* The Financial Secretary to Government informed the Committee that he had obtained information from Heads of Departments on all matters on which the non-official members of the Committee would like to have further information. For instance he read out the explanation furnished by the Heads of Departments in regard to the circumstanses under which unnecessary supplementary grants were obtained by them when the expenditure was capable of being met from the sanctioned grants for the departments. He stated that it was clear from the information furnished that the additional grants were sought for by the Departmental Heads during the early part of the year when it was not possible for them to anticipate any savings under the sanctioned grants. He then cited as an instance the additional grant of B. Rs. 1 lakh under 20 Education—Excluding Travancore University and All India Oriental Conference, sanctioned for meeting the expenditure on account of His Highness the Maharaja's donation to the Andhra University and stated that the Department could not have anticipated savings in the sanctioned grant to meet the same.

The Committee passed the Audit Report and Appropriation Accounts and adjourned at 11-45 A. M.

ANNEXURE A.

Supplementary and additional grants sanctioned during 1113 M. E.

Name of Major Head.	Sanctioned under non-votea Heads.	Voted by the Legislature.	Sanctioned under Section 32 of Act II of 1108.	Total.
	Rs.	Rs.	Rs.	Rs.
1. Land Revenue	11,488	1,891	1,568	14,947
2. Taxes on Income	6,600	4,230	6,541	17,371
6. Forest	8,700	..	16,800	25,500
12. Panivagai	85,810	..	..	85,810
13. H. H. the Maharaja's Garage and Stables	4,628	..	..	4,628
15. General Administration	...	..	2,000	2,000
16. Administration of Justice	2,175	61,430	5,000	68,605
20. Education	..	..	1,01,786	1,01,786
21. Agriculture and Fisheries	...	6,594	5,707	12,301
22. Industries	..	1,200	500	1,700
24. Uplift of Backward Communities	..	..	10,000	10,000
25. Medical, Public Health and Sanitation	..	5,316	1,59,752	1,65,068
26. Devaswoms	4,478	..	...	4,478
29. Stationery and Printing	..	..	56,700	56,700
30. Scientific and Miscellaneous departments	..	4,100	17,793	21,893
31. Buildings, Communications etc.,	1,00,127	40,000	45,721	1,85,848
33. Maramat	3,220	..	..	3,220
35. Miscellaneous Political Expenditure	1,53,397	..	...	1,53,397
41. Miscellaneous	11,405	..	...	11,405
XXV. Productive Irrigation Working Expenses	...	..	25,000	25,000
Capital expenditure not charged to Revenue	..	..	...	...
The Travancore House, Madras	11,770	..	...	11,770
Debt Heads—Investments on Reproductive works	..	1,00,000	3,69,000	4,69,000
Total	4,03,798	2,24,761	8,23,868	14,52,427

ANNEXURE B.

Excess expenditure under voted grants.

Grant No.	Name of Grant.	Original Grant.	Supplementary and additional grants Voted.	Supplementary grant sanctioned under Sec. 32 of Act II of 1108.	Diversions and surrenders	Final Grant.	Actual Expenditure.	Excess over final Grant
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
XIII	15—General Administration —Heads other than Financial Secretariat, Account Office, Legislative Bodies and Public Service Commissioner	2,62,273	..	2,000	..	2,64,273	2,66,940	2,667
XVIII	22. Industries	1,53,726	1,200	500	...	1,55,426	1,49 892	
	D. H.—Investments on Reproductive works—The clay refining and Porcelain Factory	2,25,000	1,00,000	19,000	...	1,44,000	3,59,383	
	Do. Rubber Factory	..	..	..	...	..	1,660	
	Total of Grant No. XVIII.	3,78,726	1,01,200	19,500	..	4,99,426	5,10,935	11,509
XXI	Registration	3,22,673	..	..	...	3,22,673	3,25,796	3,123
XXII	17. Jails	99,975	...	...	..	99,975	1,00,388	413
XXVII	29. Stationery and Printing	2,63,466	...	56,700	.	3,20,166	3,42,610	22,444
XXX	XXIX Anchal-working expenses	3,82,436	...	...	..	3,82,436	3,86,836	
	36 Anchal—Capital Account	6,880	..	..	..	6,880	5,791	
	Total of Grant No. XXX	3,89,316	...	...	...	3,89,316	3 92,627	3,311
XXXVIII	Debt Head—Coinage Account—Mint Advances	1,00,000	.	..	..	1,00,000	2,01,175	1,01,175
	Total	18,16,429	1,01,200	78,200	..	19,95,829	21,40,471	1,44,642

ANNEXURE C.

Unnecessary Supplementary Grants.

Grant No.		Name of Grant.	Original Grant.	Supplementary Grant voted.	Additional Grant sanctioned under Sec: 32.	Final Grant.	Actual Expenditure.	Savings compared with original grant.
			Rs.	Rs.	Rs	Rs.	Rs.	Rs.
I	1.	Land Revenue						
	2.	Taxes on Income and Capital Expenditure—Survey of Minor Circuits	10,08.917	6,121	8,109	10,23,147	9,92,062	16,855
III	20	Education excluding Travancore University and All India Oriental Conference	48,42,680	...	1,01,786	49,44 466	47,67,336	75,34
IV	20.	F. Travancore University, All India Oriental Conference and 24. Uplift of Backward Communities	1,08,790	...	10,000	1,18,790	79,666	29,124
XIX	21.	Agriculture and Fisheries	2,37,181	6,594	5,707	2,49,482	2,32,923	4,258
		Total	61,97,568	12,715	1,25,602	63,35,885	60,71,987	1,2581

ANNEXURE D.

Under Rule 10 of the Public Accounts Committee Supplemental Rules, I beg to place before the Public Accounts Committee the following list of supplementary grants obtained by the Government during 1113 for schemes of new expenditure treated as "new services" for the opinion of the Committee whether they are "new services" or not.

Name of Major Head.	Amount Rs.	Particulars.
1. Land Revenue.	1,891	For appointment of a special officer and staff for investigation of the different varieties of Oodukur tenure obtaining in the various taluks of the State.
2. Taxes on Income.	4,230	For the reorganisation of the Incometax Department temporarily with effect from 1st Kumbhom 1113.
16. Administration of Justice.	11,250	For the recruitment of and remuneration to Government Pleaders under the new rules.
21. Agriculture and Fisheries.	1,844	For the appointment temporarily of two Veterinary Inspectors and staff at Meenachil and Perumbavoor for carrying on a campaign against anthrax.
22. Industries.	1,200	For the purchase of two drill-motion power-looms for manufacture of drill and twill cloths in the Central Technological Institute, Trivandrum.
25. Medical, Public Health and Sanitation.	900	For entertainment of a specialist in Tubercular diseases.
Do.	3,927	For opening an out-patient dispensary on the eastern side of Alleppey town.
Buildings, Communications etc.	3,000	For investigation for supply of fresh water on the coastal regions of the State by taking deep boring.
Debt-Head-Investments on reproductive works.	1,00,000	For purchase of new machinery and for electrification of the Ceramic Factory, Kundara and for construction of buildings.

Trivandrum,
16th December 1939.

M. GOVINDA PILLAI,
Financial Secretary to Government.

Annexure.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON THE 20TH JANUARY 1940/7TH MAKARAM 1115.

The first meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's Room Public Offices, at 12 noon on Saturday, the 20th January 1940/7th Makaram 1115. M. K. Nilakanta Aiyar Esq., B. A., B. L., Chief Secretary to Government presided, under authorisation by the Dewan.

The following members were present:—

1. M. L. Janardhana Pillai Esq., Member, Sri Mulam Assembly.
2. Varkala K. Madhavan Esq., B. A., B. L., Member, Sri Mulam Assembly.
3. Kallur Narayana Pillai Esq., Member, Sri Chitra State Council.
4. M. Govinda Pillai Esq., B. A., Financial Secretary to Government.
5. G. Narayanan Tampi Esq., B. A., B. L., Secretary to Government.

The following proposals relating to Demands for Supplementary Grants in the budget for 1115 were scrutinised and approved by the Committee:—

		Rs.
1.	Repairing rain damages to tanks and channels in the Kodayar project ...	18,900
2	Repairing the buildings at Oolampara for the accommodation of the Armed Reserve ...	17,000
3.	Expenditure on account of the P. W. D. Advisory Committee ...	1,860
4.	Additional grant for the Water Works and Drainage schemes in the State ...	3,76,007
5.	Additional grant for completing the P. W. D. Work under progress in the Ceramic Factory at Kundara ...	20,000

6. The proposal relating to the construction of a building for housing the proposed Sports Factory at a cost of Rs. 3,500 was next considered by the Committee. Mr. M. L. Janardhana Pillai wanted to know the terms of the agreement proposed to be entered into with Messrs. The Northland Sports Works of Sialkot. The

Chairman read out the terms. Thereupon Mr. Janardhana Pillai observed that he could approve the proposal only if the firm would waive one of the conditions in the agreement *viz.*, that Government should indemnify the firm against loss. He said that Government may also waive their rights to a share of the profits. The other two non-official members also agreed in the view expressed by Mr. Janardhana Pillai.

The Committee next considered the following proposals and agreed to the provision of the amounts noted against each in the budget as supplementary grants :—

		Rs.
7.	Purchase of machinery for the Development Department ...	11,205
8.	Additional funds for the Development Department for the purchase of Ascu chemicals etc.	14,000
9.	Construction of Rural bridges ...	18,000
10.	Additional grant for payment of rent for the building in which the office of the Director of Public Health is now housed ...	1,000
11.	Additional grant under T. A. for the Advocate General's office ...	800
12.	Appointment of a temporary Government Pleader to conduct the Chengannur riot case in the Quilon Sessions Court ...	875
13.	Additional grant under the item 'Printing of Malayalam Readers and copy books' ...	50,000

A statement of expenditure authorised by Government under Section 32 of the Legislative Reforms Act, since the last session of the Legislature was placed before the Committee.

The Committee adjourned at 12·45 P. M.

Huzur Cutcherry,

Trivandrum, 3rd February 1940.

G. NARAYANAN TAMPI,
Convener,
Standing Finance Committee.

THE TRAVANCORE RUBBER CONTROL BILL.

As revised by the Select Committee.

The words in italics denote the amendments suggested by the Select Committee.

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THE TRAVANCORE RUBBER CONTROL BILL.

(As revised by the Select Committee.)

Preamble.

Whereas it is expedient to provide for the better control of the export from and import into Travancore of rubber and in view of the Revised International Rubber Restriction Scheme to amend and consolidate the law relating to the control of the extension of the cultivation of rubber in Travancore ; It is hereby enacted as follows :—

PART I.

PRELIMINARY.

Short title, extent, commencement and duration.

1. (1) This Act may be called the Travancore Rubber Control Act, 111.

(2) It extends to the whole of Travancore.

(3) It shall be deemed to have come into force on the first day of January 1939 and thereafter shall remain in force up to the 31st day of December 1943 and for such further period as may be specified by Our Government from time to time by notification in Our Government Gazette.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or contest ;

(*a*) "Committee" means the person or body of persons appointed as such by Our Government for the purpose of this Act by notification in Our Government Gazette ;

(*b*) "to export" means to take out of Travancore by sea, land or air to any French or Portuguese Settlement bounded by India or to any place outside India ;

(*c*) "factory" means any premises for the manufacture of articles containing rubber ;

(*d*) "net exports" of rubber means the difference between the total exports of rubber during a period and the total imports of crude rubber during tae same period ;

(*e*) "owner" includes any agent of an owner ;

(*f*) "prescribed" means prescribed by rules made under this Act ;

(*g*) "to plant" means to propagate a rubber plant from seed or any living portion of the rubber plant that may be used to propagate it ;

"new planting" means planting in an area which has not since the first day of June 1934 carried any rubber plants or substituting in an area carrying rubber plants and other growths, rubber growths for those other growths ;

"to replant" means to plant in such circumstances as not to constitute new planting on any one acre of an area carrying rubber plants on the 1st day of June 1934 more than thirty rubber plants ; and

"to supply" means so to plant on any one acre of such an area thirty rubber plants or less ;

(*h*) "rubber" means—

(i) crude rubber, that is to say, prepared from the leaves, bark or latex of any rubber plant,

(ii) the latex of any rubber plant whether fluid or coagulated in any stage of the treatment to which it is subjected during the process of conversion into rubber, and

(iii) latex in any state of concentration and includes for the purposes of determining net exports and regulating export, the rubber content of any article manufactured wholly or partly from crude rubber in India ;

(*i*) "rubber plant" includes plants, trees, shrubs and vine, and any leaves, flowers seeds, buds, twigs, branches, roots and any portion thereof that may be used to propagate any of the following, namely :—

(i) *Hevea Braziliensis* (Para Rubber).

(ii) *Manihot Glaziovii* (Ceara Rubber).

(iii) *Castilloa Elastica.*

(iv) *Ficus Elastica* (Rambong) and

(v) any other plant, trees, shrub or vine which Our Government may by Notification in Our Government Gazette, declare to be a rubber plant for the purposes of this Act ;

(*j*) "Sub-Committee" means a sub-committee appointed by the Committee consisting wholly or partly of the members of the Committee ;

(*k*) "year" means a year commencing with the 1st day of January.

PART II.

CONTROL OVER THE EXPORT OF RUBBER.

Limitation of the application of the Act.

3. Nothing in this Act shall apply to the export of rubber by parcel post or to the re-export of rubber contained in imported manufactured articles.

Control of export of rubber.

4. (1) No rubber grown or produced in India shall be exported unless covered by a license and a certificate of origin issued by or on behalf of the Committee.

(2) No rubber grown or produced in any country other than India shall be re exported unless covered by a certificate of origin issued by an official empowered in that behalf by the Government of such country and endorsed by or on behalf of the Committee.

Export quota.

5. The export quota of each rubber estate or factory in any period, that is the total quantity of rubber which may be exported by or on behalf of the owner of the estate or factory during that period shall be determined by the Committee in the prescribed manner.

Right to obtain export licenses.

6. (1) The owner of a rubber estate or factory to which a quota has been allotted by the Committee for any period shall subject to the provisions of sub-section (2) of Section 7 have a right to obtain from the Committee at any time during that period export licenses and certificates of origin to cover the export of rubber up to the amount of the unexhausted balance of the quota, that is, up to the amount of the quota less the amount for which export licenses have already been issued against it.

(2) The right of the owner of a rubber estate or factory under this section may be transferred in whole or in part and subject to proof of the transfer to the satisfaction of the Committee which determined the quota, the transferee shall have a right to obtain certificate of origin and export licenses up to the amount covered by the transfer or up to the amount of the unexhausted balance of the quota whichever may be less.

Grant of export licenses and certificates of origin.

7. (1) The owner of any rubber estate or factory to which a quota has been allotted by the Committee or any transferee of his right may at any time before the expiry of the period to which the quota relates, apply in writing to the Committee for an export license and a certificate of origin covering a stated quantity or rubber

(2) If the unexhausted balance of the quota is sufficient to cover the stated quantity, the Committee shall subject to the payment of the requisite fee, issue an export license and certificate of origin covering the stated quantity :

Provided that the Committee may refuse either absolutely or for such period as it thinks fit to grant such license and certificate—

(*a*) in respect of rubber under attachment by order of a competent court or an officer duly empowered under the Revenue Recovery Act, or

(*b*) where a *bona fide* dispute exists as to the person entitled to receive the quota, and when such refusal is absolute, may cancel the unexhausted balance of the quota.

(3) Every license and certificate of origin shall be in the prescribed form and shall bear the date of its issue and every license shall be valid for such period as may be specified therein or until shipment of the consignment covered by the license, provided that such consignment was placed under customs control with a view to export before the expiry of the period specified in the license and has remained thereafter under customs control.

Re-export of imported Rubber.

8. (1) Any person desiring to export rubber imported into Travancore from a place outside India may apply to the Committee for an endorsement on the certificate of origin under cover of which such rubber was imported.

(2) On receipt of such application, the Committee shall make an endorsement on the certificate of origin in such form and subject to such conditions as may be prescribed and such endorsement shall be sufficient to authorise the export of such rubber.

Committee to maintain accounts of quota.

9 (1) The Committee shall maintain an account of every export quota allotted by it showing in addition to such other particulars as the Committee may think fit, the licenses, issued against it the amount, if any thereof transferred under sub-section 2 of Section 6, and the unexhausted balance.

(2) The Committee shall maintain an account of all rubber imported from a place outside India the export of which was authorised by it under sub-section (2) of Section 8.

(3) Any owner of a rubber estate or factory shall be entitled on payment of the requisite fee to a duly certified copy of the account or other document relating to his quota.

10. No rubber shall be exported until the owner has delivered to the Customs Authority either an expert license under a certificate of origin covering the quantity to be exported, issued by or on behalf of the Committee or in the case of rubber to which the provisions of Section 8 apply, a certificate of origin endorsed by or on behalf of the Committee.

Rubber for export to be covered by license and certificate of origin.

11. (1) The Committee may serve by Post or Anchal a notice upon the owner of any rubber estate or factory requiring him to furnish within such period not being less than 30 days as may be specified in the notice, such returns and documents relating to the area planted with rubber, or to the production (including costs of production) manufacture sale or export of rubber produced on the estate or manufactured in the factory or to the ownership of the estate or factory or to any other matter as it may deem necessary to enable it to discharge its duties.

Powers of Committee to call for returns.

(2) Where any return or document required under sub-section (1) in respect of any rubber estate or factory is not furnished to the Committee within the period specified in the notice, the Committee may refuse to allot a quota to that estate or factory under Section 5 or where a quota has already been allotted, may cancel or suspended for such period as it thinks fit, the unexhausted balance of that quota and refuse to issue any further export licenses and certificates of origin under Section 7 against that quota.

12. The Committee may charge and collect such fee as may be prescribed for every export license issued by it and for every certified copy of accounts of quota or documents relating thereto granted by it.

Fees.

13. Any person aggrieved by an order of the Committee under Section *5 or Section 7 or Section 11* may appeal to Our Government within sixty days from the date of such order and Our Government may suspend, modify or cancel such order.

Appeal.

14. No quota fixed and no order cancelling or suspending the unexhausted balance of any quota or granting or refusing to grant any license or certificate of origin under this *part* shall be called in question in any Court.

Bar of jurisdiction.

PART III.

Control over extension of Rubber Cultivation.

15. So long as this Act remains in force, no person shall, save in pursuance of a written permission hereafter referred to as permit, granted by or on behalf of the Committee under this Act—

Control of cultivation of rubber.

(*a*) carry out new planting of rubber plants on any land except for the purpose of supply, or

(*b*) after the expiry of the year 1940 replant any land with rubber plants where any limitations on such replanting have been imposed under sub-section (2) of Section 16.

16. (1) The total area in Travancore in respect of which permission for new planting otherwise than for the purpose of supply may be granted in the years 1939 and 1940 shall be such area being as nearly as may be five per centum of the total area which was planted with rubber plants on the 31st day of December 1938 as Our Government may by notification in Our Government Gazette specify in this behalf or such larger area as Our Government may by like notification designate as being fixed in this behalf for those years and shall not thereafter in any period exceed such area as Our Government may in like manner designate as so fixed for that period.

Permission for new planting.

(2) A permission granted for new planting during the years 1939 and 1940 shall cease to be of effect at the end of the year 1940 and any such permission granted thereafter shall cease to be of effect at the end of the particular poriod referred to in sub-section (1) within which it was granted.

(3) Until the end of the year 1940 there shall be no restrictions upon replanting, but thereafter replanting shall be subject to such limitations, if any, as Our Government may by notification in Our Government Gazette specify.

(4) Where under sub-section (3) any limitations have been imposed on replanting the provisions of Sections 17 and 18 shall apply to permissions to replant as they apply to permissions for new planting.

17. (1) Application for permission for new planting of rubber plants shall be made to the Committee in such form as the Committee may specify or to such other authority as Our Government may prescribe in that behalf and in such form as Our Government may specify.

Application for permission for new planting.

(2) Subject to the provisions of this Part, the Committee or the authority referred to in sub-section (1) may grant or refuse the permission applied for or may call for further information from the applicant.

18. Where the whole or any part of any rubber estate is lawfully acquired under the provisions of the Land Acquisition Act or of any other law for the time being in force and has ceased to be land planted with rubber by reason of the destruction of the rubber plant growing thereon, the owner of such estate under the authority of a permit in the prescribed form obtained from the Committee may exercise planting rights on any other land to an extent not exceeding that on which such rubber plants were growing prior to their destruction in such manner and subject to such terms and conditions as may be prescribed by the Committee.

New planting in lieu of rubber plants on land acquired for public purposes.

19. (1) Any applicant aggrieved by an order under Section 17 or Section 20 may appeal to Our Government within sixty days from the date thereof and Our Government may on such appeal cancel, modify or suspend any such order.

Appeal to our Government.

(2) The records of the Committee relating to proceedings under this Part shall be open to inspection at all reasonable times by any officer authorised in this behalf by Our Government.

20. (1) The Committee may serve by Anchal or Post a notice upon the owner of any rubber estate requiring him to furnish, within such period not being less than thirty days as may be specified in the notice, such documents plans or returns relating to the cultivation of rubber plants on the estate as it may deem necessary to enable it to discharge its duties under this Act.

Powers of Committee to call for returns and to inspect estate.

(2) Any member of the Committee and any officer of the Committee authorised by it in this behalf may, at any reasonable time, enter upon and inspect any portion of any rubber estate, and may require the owner of the estate to produce for inspection, any records of the estate in his control or custody relating to the cultivation of rubber plants and the stocks of rubber on the estate.

(3) Where any return required under sub-section (1) in respect of any rubber estate is not furnished to the Committee within the period specified in the notice, the Committee may refuse to grant any permission under Section 17 for new planting of rubber plants or may cancel any such permission already given.

PART IV.

SUPPLEMENTAL.

Certificate of origin for imported rubber.

21. No rubber shall be imported by land, sea or air, into Travancore from any place outside India unless covered by a certificate of origin issued by an official empowered in that behalf by the Government of the country where the rubber was grown or produced.

Prohibition of export of rubber plants.

22. (1) No person shall export Rubber plants except to such places and subject to such conditions as may be specified in that behalf by Our Government by notification published in Our Government Gazette.

(2) Every person exporting rubber plants to or importing rubber plants from a territory specified under sub-section (1) shall within such time and in such manner as may be prescribed submit to the Committee a return showing the particulars of such exportation or importation.

(3) The Committee shall compile from such returns and submit to Our Government at such times and in such form as may be prescribed consolidated statements of the total quantities and descriptions of rubber plants so exported and imported.

Submission of returns showing stock of rubber.

23. (1) The owner of every rubber estate or factory and every person holding stocks of rubber shall submit to the Committee at such time and in such form as may be prescribed, a return showing the stocks of rubber held by him together with such further information in regard thereto as may be prescribed.

(2) The Committee shall compile from such returns and submit to Our Government at such times and in such form as may be prescribed consolidated statements showing the total amount of stocks of rubber held in Travancore.

Member may Inspect factories.

24. Any member of the Committee or of a Sub-Committee and any officer of the Committee authorised by it in this behalf may at any reasonable time enter upon and inspect any factory and may require any owner of a factory to produce for inspection any records of the factory in his control or *custody* relating to the manufacture in and export from the factory of rubber or the stocks of rubber held in the factory.

Power of Government to make rules.

25. Our Government may by Notification in Our Government Gazette make rules for the purposes of carrying out the provisions of this Act.

PART V.

PENALTIES AND PROCEDURE.

26. A breach of the provisions of Section 10 or of Section 21 or of sub-section (1) of Section 22 shall be punishable as it were an offence under Item 8 of Section 149 of the Travancore Sea Customs Act of 1088 (Act V of 1088) and the provisions of Section 150 and of Chapter XVI of that Act shall apply accordingly.

Penalty for illicit import or export.

27. If default is made in submitting any return as required by sub-section (1) of Section 23, the owner of the estate or factory as the case may be shall be punishable with fine which may extend to Rs. 500.

Penalty for default in submitting returns.

28. Any owner of a rubber estate or factory or any person importing or exporting rubber plants or holding stocks of rubber as the case may be, who has furnished any return under sub-section (1) of Section 11 or sub section (1) of Section 20 or sub-section (2) of Section 22 or sub-section (1) of Section 23 or any document, plan or return under sub-section (1) of Section 20 containing any particular which is false and which he knew to be false or did not believe to be true, shall be punishable with fine which may extend to one thousand rupees,

Penalty for making false return.

29. Whoever obstructs any member of the Committee or of a Sub-Committee or any officer of the Committee while such member or officer is entering upon or inspecting any rubber estate under sub-section (2) of Section 20 and whoever, having control over or custody of any records of a rubber estate relating to the cultivation and stocks of rubber on that estate, refuses or fails to produce such records when required by a member of the Committee or of a Sub.Committee or an officer of the Committee under that sub-section, shall be punishable with fine which may extend to one thousand rupees.

Penalty for obstructing inspecsion of rubber estate.

30. Whoever obstructs any member of the Committee or of a Sub-Committee or any officer of the Committee while such member or officer is entering upon or inspecting a factory under Section 24 and whoever, having control over or custody of any records of a factory relating to the manufacture in or export from the factory of rubber or to the stocks or rubber held in the factory, refuses or fails to produce such records when required by a member of the Committee or of a Sub-Committee or an officer of the Committee under that section shall be punishable with fine which may extend to one thousand rupees.

Penalty for obstructing inspection of factory.

31. Whoever carries out new planting of rubber plants or causes such new planting to be carried out or replants or causes to be replanted any land in contravention of Section 15 shall be punishable with fine which may extended to one thousand rupees for the first offence, and with fine which may extend to five thousand rupees for any subsequent offences.

Penalty for illicit cultivation.

32. Where any person has been convicted of an offence under Section 31, the convicting court shall direct that the rubber plants in respect of which the offence was committed shall be removed from the land within a prescribed time, and in the event of the order not being fully complied with shall cause the rubber plants to be removed and recover the cost from the person convicted as if it were an arrear of land revenue due on the rubber estate on which the offence was committed.

Removal of rubber plants planted without permission

33. (1) No Magistrate other than a Magistrate of the First Class shall take cognisance of an office under Sections 27, 28, 29, 30, or 31 and such Magistrate may take cognisance of such an offence only upon complaint made by a person authorised by the Committee in this behalf, and with the previous sanction of Our Government.

Trial of offences under Sections 27, 28, 29, 30 or 31.

(2) The Committee shall be responsible for the conduct of all prosecutions of offences under Sections 27, 28, 29, 30 or 31.

PART VI.

MISCELLANEOUS.

34. The Travancore Rubber Control Act (Act II of 1112) is hereby repealed :

Repeal and saving.

Provided that the repeal shall not affect the allotment of any rubber quota, the issue of any license or certificate for the export of rubber or the issue of any permit for the planting of rubber already made by the Committee under the provisions of the Rubber Control Act (II of 1112) or any rule framed thereunder.

35. *Notwithstanding anything contained in sub-section (3) of Section 1 Our Government may at any time by Notification in Our Government Gazette suspend either indefinitely or for such period as may be specified in the Notification the operation of the whole or any portion of the Act, and by like Notification cancel it.*

Power to suspend the operation of the Act.

36. *No permit issued and no order granting or refusing to grant any permit or cancelling any permit already issued under Part III of this Act shall be called in question in any Court.*

Bar of jurisdiction.

THE TRAVANCORE BANKERS' BOOKS EVIDENCE BILL.

(AS REVISED BY THE SELECT COMMITTEE.)

(THE WORDS IN ITALICS DENOTE THE AMENDMENTS SUGGESTED BY THE SELECT COMMITTEE.)

AN ACT TO AMEND THE LAW OF EVIDENCE WITH RESPECT TO BANKERS' BOOKS.

Whereas it is expedient to amend the Law of Evidence with respect to Bankers' Books ; It is hereby enacted as follows :—

1. This act may be called the Travancore Bankers' Books Evidence Act.

(2) it extends to the whole of Travancore and it shall come into force at once.

Title, extent and commencement.

2. In this Act, unless there is something repugnant in the subject or context—

Definitions

(1) 'Company' means a Company registered under any of the enactments relating to companies for the time being in force in Travancore or in British India or the United Kingdom or in any of the Colonies or dependencies thereof; *or incorporated under any Special Law in Travancore* or incorporated by an Act of Parliament or of the Governor-General in Council or by Royal Charter or by Letters Patent:

(2) 'Bank' and 'Banker' mean—

(*a*) any company carrying on the business of bankers,

(*b*) any Post office Savings Bank or money order office, Anchal Savings Bank or Anchal Hundi Office:

(3) 'Bankers' books' include ledgers, day-books, cash-books, account books and all other books used in the ordinary business of a bank:

(4) 'Legal proceeding' means any proceeding or inquiry in which evidence is or may be given, and includes an arbitration:

(5) 'The Court' means the person or persons before whom a legal proceeding is held or taken:

(6) 'Judge' means a judge of Our High Court;

(7) 'Trial' means any hearing before the Court at which evidence is taken; and

(8) "Certified copy' means a copy of any entry in the books of a bank together with a certificate written at the foot of such copy that it is a true copy of such entry, that such entry is contained in one of the ordinary books of the bank and was made in the usual and ordinary course of business, and that such book is still in the custody of the bank, such certificate being dated and subscribed by the principal manager of the bank with his name and official title.

Mode of proof of entries in bankers' books.

3. Subject to the provisions of this Act, a certified copy of any entry in a banker's book shall in all legal proceedings be received as *prima facie* evidence of the existence of such entry, and shall be admitted as evidence of the matters, transactions and accounts therein recorded in every case, where, and to the same extent as, the original entry itself is now by law admissible, but not further or otherwise.

Case in which officer of bank not compellable to produce books.

4. No officer of a bank shall in any legal proceeding to which the bank is not a party be compellable to produce any banker's book the contents of which can be proved under this Act, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the Court or a Judge made for a special cause.

Inspection of Books by order of Court or Judge.

5. (1) On the application of any party to a legal proceeding the Court or a Judge may order that such party be at liberty to inspect and take copies of any entries in a banker's book for any of the purposes of such proceeding, or may order the bank to prepare and produce, within a time to be specified in the order certified copies of all such entries, accompanied by a further certificate that no other entries are to be found in the books of the bank relevant to the matters in issue in such proceeding, and such further certificate shall be dated and subscribed in manner hereinbefore directed in reference to certified copies.

(2) An order under this or the preceding section may be made either with or without summoning the bank, and shall be served on the bank three clear days (exclusive of bank holidays) before the same is to be obeyed, unless the Court or Judge shall otherwise direct.

(3) The bank may at any time before the time limited for obedience to any such order as aforesaid either officer to produce their books at the trial or give notice of their intention to show ause cagainst such order, and thereupon the same shall not be enforced without further order.

Power of Court to call for books.

6. Notwithstanding anything contained in this Act, the Court may, order the production of any bankers' books when it thinks that an inspection or perusal thereof is necessary in the ends of justice.

Costs.

7. (1) The cost of any application to the Court or a Judge under or for the purposes of this Act and the costs of anything done or to be done under an order of the Court or a Judge made under for the purposes of this Act shall be in the discretion of the Court or Judge, who may further order such costs or any part thereof to be paid to any party by the bank if they have been incurred in consequence of any fault or improper delay on the part of the bank.

(2) Any order made under this section for the payment of costs to or by a bank may be enforced as if the bank were a party to the proceeding.

(3) Any order under this section awarding costs may, on application to any Civil Court designated in the order, be executed by such Court as if the order were a decree for money passed by itself.

Provided that nothing in this sub-section shall be construed to derogate from any power which the Court or Judge making the order may possess for the enforcement of its or his directions with respect to the payment of costs.

THE TRAVANCORE CENSUS BILL.

Preamble.

Whereas it has been determined to take a census of Travancore during the year 1941 A. D., and whereas it is expedient to provide for certain matters in connection with the taking of such census; It is hereby enacted as follows:—

Short title, extent and commencement.

1 (1) This Act may be called the "Travancore Census Act, 1115."

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Appointment of census officers.

2. Our Government may appoint any person to take, or aid in or supervise the taking of, the census within any specified local area.

(2) Persons so appointed shall be called census-officers.

(3) Our Government may delegate to such authority, as it thinks fit, the power of appointing census-officers which is conferred by this Section.

Proof of appointment of census-officers and their status as public servants,

3. (1) A declaration in writing, signed by the Dewan or by any officer authorised by Our Government in this behalf, that any person has been duly appointed a census-officer for any local area, shall be conclusive proof of such appointment.

(2) All census-officers shall be deemed to be public servants within the meaning of the Travancore Penal Code (Act I of 1074).

Discharge of duties of census-officers in certain cases.

4. (1) (a) Every person in the service of Our Government,

(b) every person (except a pilot or harbour master) having charge or, control of a vessel,

(c) every person in charge of a lunatic asylum, hospital, work-house prison, reformatory, or lock-up or of any public, charitable, religious or educational institution,

(d) every keeper, secretary or manager of any chatram, hotel, boarding-house, lodging-house, emigration depot or club,

(e) every manager or officer of a Railway, Transport or any commercial or industrial establishment, and

(f) every occupant of immovable property wherein at the time of the taking of the census persons are living,

shall, if so required by the District Magistrate or such other officer as Our Government may appoint in this behalf, perform such of the duties of a census-officer in relation to the persons who at the time of the taking of the census are under his charge or control, or are inmates of his house, or are present on or in such immoveable property, or are employed under him, as such Magistrate or officer may, by written order, direct.

(2) All the provisions of this Act relating to census-officers shall apply, so far as may be, to all persons while performing such duties under this section, and any person refusing or neglecting to perform any duty which under this section he is directed to perform shall be deemed to have committed an offence under Section 180 of the Travancore Penal Code.

Power to call upon certain persons to give assistance.

5. The District Magistrate, or such officer as Our Government may appoint in this behalf for any local area, may, by written order, which shall have effect throughout the extent of his district or of such local area as the case may be, call upon—

(a) all owners and occupiers of land, tenure holders and farmers and assignees of land-revenue, or their agents, and

(b) all members and officers of Village Panchayats, Village Unions and Municipal Councils and other local authorities and servants of such authorities,

to give such assistance as shall be specified in the order towards the taking of a census of the persons who are at the time of the taking of the census on the lands of such owners, occupiers, tenure-holders ; farmers and assignees, or within the areas for which such local authorities are established, as the case may be, and the persons to whom an order under this Section is directed shall be bound to obey it and shall, while acting in pursuance of such order be deemed to be public servants within the meaning of the Travancore Penal Code.

Asking of questions and obligations to answer.

6. (1) A census-officer may ask all such questions of all persons within, the limits of the local area for which he is appointed as, by instructions issued in this behalf by Our Government and published in Our Government Gazette, he may be directed to ask—

(2) Every person of whom any question is asked under sub-section (1) shall be legally bound to answer such question to the best of his knowledge or belief:

Provided that no person shall be bound to state the name of any female member of his household, and that no woman shall be bound to state the name of her husband or deceased husband or of any other person whose name she is forbidden by custom to mention.

Occupier to permit access and affixing of numbers.

7. Every person occupying any house, enclosure, vessel or other place shall allow census-officers such access thereto as they may require for the purposes of the census, and as, having regard to the customs of the country, may be reasonable, and shall allow them to paint on or affix to the place such letters, marks or numbers as may be necessary for the purposes of the census.

Occupier or manager to fill up schedule

8. (1) Subject to such orders as Our Government may issue in this behalf a census-officer may, within the local area for which he is appointed, leave or cause to be left a schedule at any dwelling-house or with the manager or any officer of any commercial or industrial establishment, for the purpose of its being filled up by the occupier of such house or of any specified part thereof or by such manager or officer with such particulars as Our Government may direct regarding the inmates of such house or part thereof, or the persons employed under such manager or officer, as the case may be, at the time of the taking of the census.

(2) When such schedule has been so left, the said occupier, manager or officer, as the case may be, shall fill it up or cause it to be filled up to the best of his knowledge or belief so far as regards the inmates of such house or part thereof or the persons employed under him, as the case may be, at the time aforesaid and shall sign his name thereto and, when so required, shall deliver the schedule so filled up and signed to the census-officer or to such person as the census-officer may direct.

Penalties.

9. (*a*) Any census-officer or any person lawfully required to give assistance towards the taking of a census who refuses or neglects to use reasonable deligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or in obeying any such order, or

(*b*) any census-officer who intentionally puts any offensive or improper question or knowingly makes any false return or, without the previous sanction of Our Government, discloses any information which he has received by means of, or for the purposes of, a census return, or

(*c*) any person who intentionally gives a false answer to, or refuses to answer to the best of his knowledge or belief, any question asked of him by a census-officer which he is legally bound by Section 6 to answer, or

(*d*) any person occupying any house, enclosure, vessel or other place who refuses to allow a census-officer such reasonable access thereto as he is required by Section 7 to allow, or

(*e*) any person who removes, obliterates, alters or damages before the 31st day of March, 1941 any letters, marks or numbers which have been painted or affixed for the purposes of the census, or

(*f*) any person who, having been required under Section 8 to fill up a schedule, knowingly and without sufficient cause fails to comply with the provisions of that Section, or makes any false return thereunder,

shall be punishable with fine which may extend to two hundred rupees.

10. No prosecution under this Act shall be instituted except with the previous sanction of Our Government.

Sanction required for prosecutions.

11. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under this Act:

Operation of other laws not barred.

Provided that no such prosecution shall be instituted except with the previous sanction referred to in Section 10.

12. No Court inferior to that of a Magistrate of the Second Class shall try, whether under this Act or under any other law, anything which constitutes an offence under this Act.

Jurisdiction.

13. No person shall have a right to inspect any book, register or record made by a census-officer in the discharge of his duty as such, or any schedule delivered under Section 8, and no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding whatsoever or in any criminal proceeding other than a prosecution under this Act or any other law for any act or omission which constitutes an offence under this Act.

Records of census not open to inspection nor admissible in evidence.

14. (1) Our Government may make rules for carrying out the purposes of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, Our Government may make rules providing--

(*a*) for the appointment of census-officers and of persons to perform any of the duties of census-officers or to give assistance towards the taking of a census and for the general instructions to be issued to such officers and persons; and

(*b*) for the enumeration of persons employed on railways and their families and of other classes of the population for which it may be necessary or expedient to make special provision.

THE TRAVANCORE REFORMATORY SCHOOLS ACT AMENDMENT BILL.

Whereas it is expedient to amend the Travancore Reformatory Schools Act (VI of 1099) for a certain purpose; It is hereby enacted as follows :—

Preamble.

1. (i) This Act may be called the Travancore Reformatory Schools (Amendment) Act, 1115.

Short title extent and commencement.

(ii) It extends to the whole Travancore.

(iii) It shall come into force at once.

2. In Section 20, sub-section (2), clause (ii) of the Travancore Reformatory Schools Act (VI of 1099), after sub-clause (*b*), the following shall be inserted as sub-clause (*bb*), namely :—

Amendment of Section 20, Act VI of 1099.

"(*bb*) the grant of permission to youthful offenders to absent themselves for short periods."

Annexure I.

THE TRAVANCORE CUCHY MEMONS BILL.

A Bill to amend the Law relating to intestate succession among the Cuchy Memon Muslims of Travancore.

Preamble.

Whereas it is expedient to amend and define the rules of law applicable to intestate succession among the Cuchy Memon Muslims groverned by the Hindu law of inheritance; It is enacted as follows:—

(i) This Act may be called The Travancore Cuchy Memons Act of 111 .

And it shall come into force immediately.

Local extent.

(ii) It extends to the whole of Travancore.

Persons to whom this Act is applicable.

(iii) It applies to all Cuchy Memons of Travancore whether domiciled or otherwise, who are Governed by the Hindu law of inheritance and also in respect of properties belonging to them within Travancore to such Memons domiciled outside Travancore who are governed by the above said law of inheritance,

Property in respect of which a discussed Cuchy Memon is considered to have died intestate.

2. A person is considered to die intestate in respect of all properties which he has not made a testamentary disposition capable of taking effect.

Devolution of properties.

3. Such property shall devolve upon his heirs in the order and according to the rules of Muhamedan Law, notwithstanding any custom or law to the contrary.

Objects and Reasons.

The Cuchy Memons in Travancore have been following the Hindu law of inheritance. They are Muslims and their religion is Islam. It is obligatory on every muslim, whether he be a Cuchy Memon or a Pattan to follow Islamic law in all matters. According to the opinions of the Islamic jurists a Muslim who follows a non-Islamic Code for inheritance is outside the sphere of Islam. The Islamic Code of inheritance is accepted by all authorities of Jurisprudence as one of the best Codes available on the subject. In modern days the tendency of the law is to give wide powers to individuals to manage their own affairs, People believe that individuality is the keynote of progress. Joint family system is against the principle of Muhamedan law. A Muslim whether he be a "Cuchy Memon" or "Mappilai" desires that his property should devolve upon his male as well as his female children. Under the Hindu law his daughter does not get any share of his properties along with his sons. The community as a whole is very anxious to get rid of this system of inheritance.

In British India the above system was introduced among the Cuchy Memons. Even in Cochin a law has been passed for bringing the Cuchy Memons under the Muhamedan law. The Cuchy Memons of Travancore had risen to the occasion and asked the Government to change their law into Muhamedan Law. In the old Sri Mulam Assembly and in the old Legislative Council late Mr. S. Adam Sait asked the Government to bring a Bill for them. Government replied that Government would render all reasonable help provided a non-official Muslim member would bring a Bill for the purpose.

In 1932 I sought for sanction from Government for introducing a Bill for changing the system of inheritance of the Cuchy Memons. I got sanction. On 15th August 1932 the Legislative Council gave me permission to introduce the Bill. Vol. XXI No. 14 of the Old Legislative Council proceedings will bear witness to this fact. The Bill was referred to a Select Committee. At this juncture the Legislative Council was dissolved. None of the Muslim members who followed me in the Legislature did not care to take charge of my bill and hence my Bill was not made to progress further.

The necessity for making a law for Cuchy Memons has been more keenly felt now. Both in British India and in Cochin the Cuchy Memons in the State have relations. Every day new marriage alliance with Cochinites has been going on. Hindu law of inheritance in Travancore and Muhamedan law of inheritance in Cochin and British Indian Provinces have begun to create complications in the matter of new marriage alliances between Travancoreans and non-Travancoreans There are several other inconveniences under which the community has been labouring at present on account of the continuance of the present system of inheritance. The community as a whole is in favour of changing the present law and of accepting Muhamedan law in its place. This Bill is only an attempt to give recognition to this wish.

P. S. MUHAMED.

Annexure II.

THE TRAVANCORE ANTI-DOWRY BILL.

A BILL TO CHANGE A SOCIAL CUSTOM PREVALENT AMONG SOME COMMUNITIES IN TRAVANCORE WHO ARE TRAVANCOREANS BY NATIONALITY, WITH REGARD TO DOWRY.

Whereas it is expedient to restrain the custom of taking or offering dowry in marriages; It is enacted as follows:—

Short title. 1. This Act may be called "The Travancore Anti-Dowry Act of 111...".

Commencement. 2. It shall come into force immediately.

Application. 3. It applies to all Travancoreans by residence and nationality.

Interpretation. 2. In this Act, unless there is anything repugnant in the subject or context, the following words and expressions are used in the following senses:—

(1) "Residents of Travancore" means permanent residents of Travancore.

(2) "Travancoreans by nationality" includes persons who are Travancoreans by nationality but reside outside Travancore for purposes of business or employment.

(3) "Boy or Girl" means any male or female irrespective of his or her age.

(4) "Valuable consideration" means money or any property that can be converted into money.

(5) "Anything valuable" means anything of valuable consideration.

(6) "Dowry" means and includes stipulations made in connection with marriages, fixing the quantity or quality of things to be paid for in cash or kind on ceremonial or other occasions before or after the marriage and the giving and receiving of presents in cash or kind.

(7) "Exchange" means an act of giving or receiving presents in connection with marriages.

(8) "Ceremonial and other occasions" means festival days or auspicious days which are recognised by custom as being days for making and receiving presents in connection with marriages.

Offence under this Act. 3. (1) Whoever gives or takes, or bargains to give or take, a boy or girl in marriage in lieu of receiving or promise of receiving any money or other gratification, shall be deemed to have committed an offence under this Act.

(2) Whoever gives or takes, or bargains to give or take, a valuable consideration in lieu of marriage, shall be deemed to have committed an offence under this Act.

Exception. Gifts that are voluntary and spontaneous and are in consideration of natural love and affection, can be given, provided that the value of such gifts, whether they are in cash or kind, does not exceed one thousand rupees all told, and provided that they are given at the time of marriage, or within twelve months thereof. The payment of anything in excess of one thousand rupees shall be punishable.

4. Whoever enters into, or bargains to enter into, any fixed stipulations in connection with the ceremonial or other occasions after marriage, shall be deemed to have committed an offence under this Act.

Offence under the Act.

No offence is committed if, at any time after marriage, things like fruits, sweetmeats, or small presents are exchanged voluntarily and spontaneously in consideration of love and affection.

Explanation.

5. Whoever commits an offence under this Act shall bo punishable with fine which may extend to one thousand rupees.

Punishment.

6. Notwithstanding anything contained in Section 170 of the Criminal Procedure Code, V of 1067, no Court other than that of a District Magistrate, within whose jurisdiction the party taking money or other gratification resides, shall take cognisance of an offence under this Act.

Court taking Cognisance of offence.

7. No Court shall take cognisance of any offence under this Act save upon a complaint made by a Travancore resident, within one year of the alleged offence.

Complaint for taking cognisance of offence.

8. (i) (*a*) The Court taking congnisance of an offence under this Act, unless it dismisses the complaint under Section 181 of the Criminal Procedure Code, V of 1067, shall appoint a Tribunal consisting of five Travancoreans who are residents of Travancore, out of whom one shall be a Judicial officer not below the rank of a First Class Magistrate, who shall act as Chairman and shall have only a casting vote in case of a tie.

Tribunal to be appointed.

(*b*) The cost of the Tribunal, if any, shall be borne by the party found to be at fault.

(*c*) The Tribunal shall hold an enquiry and shall make a report within three months from the date of its appointment to the District Magistrate, unless the time is extended by the District Magistrate.

(ii) The proceedings of the Enquiry Court shall be *in camera*, and no pleaders shall be allowed.

(iii) The summons issued by the Enquiry Court would have the same force as the summons of the ordinary Court, and any disobedience of such summons, or wilful failure to appear in the Court will be punishable by th ordinary Court under the existing law.

(iv) The report of the majority of the members of the Enquiry Court shall ordinarily be accepted by the District Magistrate unless the District Magistrate is of opinion that the report is perverse and against the principles of equity and good conscience.

(v) The District Magistrarte shall pronounce judgment under the provisions of this Act, after the report of the Tribunal.

9. (1) At any time after examining the complainant and before issuing process for compelling the attendance of the accused, the Court shall, except for reasons to be recorded in writing, require the complainant to execute a bond, with or without sureties, for a sum exceeding fifty rupees as security for the payment of any compensation which the complainant may be directed to pay under Section 227, Criminal Procedure Code, and if such security is not furnished within such reasonable time as the Court may fix, the complaint shall be dismissed.

Bond to be executed.

(2) A bond taken under this Section shall be deemed to be a bond under the Code of Criminal Procedure.

Bargaining outside Travancore.

10. If persons ordinarily residing in Travancore are proved to have bargained to give or take a boy or girl in marriage, in lieu of receiving or promise of receiving any money or other gratification outside Travancore, simply to evade the application of this Act, they shall be deemed to have committed an offence under this Act.

STATEMENT OF OBJECTS AND REASONS.

Among the social evils prevalent among many prominent communities in Travancore which called for immediate removal, a prominent place may rightly be given to the dowry system. It has been pointed out that dowry marriage evolved from purchase marriage, the higher classes leading the way and the great masses following them. And, so far as marriage by purchase is concerned, it is described as a "system under which the bridegroom pays a bride's price to her father," and it is stated to be common among the primitive tribes. Thus the very origin of the dowry system proclaims the fact that it is illsuited to the spirit of the times. The Travancore Census Report says that dowry marriage is the universal custom among Brahmins and that it is also prevalent among Christians and becoming prevalent among Nairs, Ezhavas and Nanjinad Vellalas. It is also stated that "the practice of parents procuring husbands for their daughters, either by payment in cash or by meeting the expenses of their higher education in Indian or foreign Universities, is also coming into vogue among Nairs and other Marumakkathayam communities.

There is a growing feeling among the public that the dowry system, by whatever name it is called and in whatever form it is observed, vitiates the sacredness of marriage and is very often the cause of unhappy alliances and family quarrels. Indeed, the economic condition of many families and communities may also be said to be affected by the dowry system.

The object of my Bill is to prevent such unfortunate happenings and to see that the sacredness of marriages is in no way vitiated by ideas of purchase and sale. At the same time, the taking or offering of small presents voluntarily and spontaneously as a token of natural love and affection is not sought to be prevented.

T. NARAYANI AMMA.

Annexure III.

THE TRAVANCORE CHRISTIAN GUARDIANSHIP BILL.

A BILL TO DEFINE AND DECLARE THE LAW RELATING TO GUARDIANSHIP AS APPLICABLE TO INDIAN CHRISTIANS IN TRAVANCORE.

CONTENTS.

Preamble.

Sections :—

1. Short title, commencement and application.
2. Definition.
3. Persons who shall be legal guardians.
4. Only legal guardians and guardians appointed by competent authority competent to act on behalf of minors.

Preamble. Whereas it is expedient to define and declare the law relating to guardianship as applicable to Indian Christians in Travancore: It is hereby enacted as follows:—

Short title, commencement, and applications.

1. (a) This Act may be called "The Travancore Christian Guardianship Act 1115"

(b) It shall come into force at once.

(c) It shall apply to all Indian Christians in Travancore to whom the Travancore Christian Succession Act, Act II of 1092 is applicable.

Definition.

2. In this Act "Minor" means a person who has not completed eighteen years of age.

Persons who shall be legal guardians.

3. The following persons, in the order named, shall be the legal guardians of minors in respect of their person and properties, namely, the father, mother, paternal grand-father, full brothers in the order of seniority, half-brothers by the same father in the order of seniority, and paternal uncles in the order of seniority:

Provided that no person who is a minor or who is of unsound mind shall be competent to be a guardian under this section:

Provided also that the husband shall be the legal guardian of his minor wife in respect of her person and property.

Explanation 1. Nothing in this section shall be deemed to affect the provisions of the Travancore Guardians and Wards Act, Act II of 1077.

Explanation 2. Nothing in this section shall be deemed to affect the power of any person acquiring, giving, or leaving property for the benefit of a minor to appoint by will or other instrument any guardian in respect of such property.

4. No person who is not the legal guardian of a minor as provided in Section 3 or who is not appointed guardian of such minor by a competent authority shall be competent to act on behalf of the minor.

Only legal guardians and guardians appointed by competent authority competent to act on behalf of minors.

Statement of Objects and Reasons.

The law relating to guardianship among Christians in Travancore is in an uncertain condition. There is no statutory law relating to the matter. The Christian Succession Act does not provide for it. Custom in the community relating to the right of a person to act as the guardian of a minor cannot be said to be uniform except in the case of the father. There is often conflict between mother and paternal grandfather, between paternal grandfather and brother, between mother and brother, between full brother and an elder half brother, between paternal uncle and step-mother etc. etc. In cases in which there are no near relations for the minor the position is very uncertain. When the minor is possessed of properties there is often a scramble for the office of guardianship. It is very seldom that the Guardians and Wards Act is availed of by any community in the State for the appointment of guardians for minors. The competency of a person to act as guardian of a Christian minor is very often called in question in courts of the law. In the absence of statutory law the question has to be decided on the basis of custom which as stated above, is not uniform and which it is often difficult to prove. There is also no justification in applying the principle of 'de facto guardianship' to Christians, that principle being a special feature of the Hindu and Marumakkathayam systems of law. It is therefore thought necessary that the law relating to guardianship among Christians should be defined. Clause 3 of the Bill declares the persons who shall be the legal guardians of minors. Clause 4 lays down that only a legal guardian or a guardian appointed by a competent authority can act on behalf of a minor.

Trivandrum,
6th Chingom 1115.

JOSEPH VITHAYATHIL,
Member Sri Mulam Assembly,

ANNEXURE IV.

THE EZHAVA BILL.

Whereas it is expedient to amend the Ezhava Act III of 1100, it is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

Short title

1. (1) This Act may be called the Travancore Ezhava Act of 1115 and shall come into force at once.

Application

(2) It shall apply to all Ezhavas domiciled in Travancore other than those who follow Makkathayam, and shall also apply to such Ezhavas and non-Ezhava Hindus, whether domiciled or not as have or shall have marital relation with Ezhavas domiciled in Travancore.

Repeal

(3) Act III of 1100 is hereby repealed.

Saving

(4) Nothing in this Act shall confer any right on the parties dissolved before this act comes into force.

II. In this act unless there is something repugnant in the subject or context:—

Definitions

(1) "Ezhava" includes Chova, Thiyya and others known or recognised or asserted in writing registered as Ezhava, Chova or Thiyya.

(2) "Marumakkathayam" means the system of inheritance in which descent is traced in the female line.

(3) "Thavazhee" of a female means a group of persons consisting of that female and her issues how low so ever in the female line, or such of that group as are alive.

(4) "Thavazhee of a male" means the Thavazhee of his mother.

(5) "Tharawad" means and includes all the members of a Marumakkathayam family with community of property.

(6) "Karnavan" means the senior major male member of the Tharavad in whom the headship of the Tharavad, the right of management of its affairs and possession of the properties thereof are vested in Law and in the absence of such male member the senior major female member.

(7) "Minor" means a person who has not completed 18 years of age.

(8) "Makkathayam Property" is property obtained from the husband or father by the wife or child or both of them by gift, inheritance or bequest.

CHAPTER II.

MARRIAGE AND ITS DISSOLUTION.

Marriage.

III. The conjugal union of an Ezhava subject to the restriction of consanguinity and affinity with any Hindu, entered into in writing registered or openly solemnised by the presentation of cloth to, or by tying Mangalyasuthram around the neck of the female by the male whether so registered or solemnised before the date on which this Act comes into force and subsisting on such date or so registered or solemnised after this Act comes into force shall be deemed to be a valid marriage for all legal purposes.

Provided that no conjugal union solemnised after the date on which this Act comes into force shall in the case of a male who has not completed 18 years of age or of a female who has not completed 16 years of age be deemed to be a legally valid marriage unless it takes place with the consent of his or her legal guardian or unless such conjugal union is recognised and continued after the attainment or 18 or 16 years of age as the case may be by the party or parties concerned.

ILLUSTRATIONS.

(a) C, a male commits adultery with B who has married A or entices away B who, he knows has married A. C, is liable to punishment under Section 500 or 501 of the Travancore Penal Code.

(b) A, a male having sufficient means neglects or refuses to maintain B whom he has married. B is entitled to apply for maintenance under Chapter XXXV of the Criminal Procedure Code.

(c) B, a female who has married A refuses to cohabit with the latter without just cause. A may bring a civil suit for restitution of conjugal right.

IV. Notice of a marriage under this Act shall be given by the husband to such authority in such form and within such time as the Government may prescribe. On failure to give such notice the husband shall be liable to be punished with fine which may extend to Rs. 100. But such failure shall not invalidate the marriage.

Subsequent marriage when void.

V. The subsequent marriage of a male or of a female during the continuance of a prior marriage and performed after the commencement of this Act is void.

ILLUSTRATION.

C, a male marries B who has married A during the continuance of A's marriage, B and C are liable to punishment for bigamy under Section 497 of the Travancore Penal Code and abetment thereof respectively.

Dissolution of marriage.

VI. Marriage is dissolved only in one of the following ways:—

(1) By the death of either party or

(2) By mutual consent evidenced by a registered instrument or

(3) By a formal order of dissolution as hereinafter provided.

Petition for Dissolution of marriage.

VII. A husband or wife may present a petition for dissolution of the marriage under Section 5 clause (3) in the Court of the District Munsiff within the local limits of whose jurisdiction the respondent resides, carries on business, or personally works for gain or if the respondent resides, carries on business or personally works for gain in any place outside Travancore, in the Court of the District Munsiff within whose jurisdiction the petitioner resides, and the petitioner shall in all cases offer in the petition reasonable compensation to the respondent except where such respondent has changed his or her religion;

Provided that the wife shall herself be competent to apply for divorce if she has completed 16 years of age.

Reasonable compensation how determined.

VIII. What is reasonable compensation shall in case of dispute be determined by the Court after an enquiry into the position means and circumstances of the parties but without going into the grounds of the proposed dissolution, and it shall in no case exceed Rs. 2000 when the petitioner is the husband and Rs. 500 when the petitioner is the wife.

IX A copy of such petition as aforesaid shall be served on the respondent at the expense of the petitioner and in the manner provided for the service of summons on a defendant in the Code of Civil Procedure.

Notice to be given to the respondent.

X Six months after the service of the copy as aforesaid, if the petition is not withdrawn in the meantime, the Court shall, declare in writing the marriage dissolved and shall proceed to determine the amount of compensation. The dissolution shall take effect from the date of the order declaring it.

When and how order of dissolution passed.

So far as it decrees payment of compensation such order shall be executable and appealable as a decree under the Code of Civil Procedure, on payment of Court fees on the amount adjudged or claimed, as the case may be

Decree awarding compensation executable and appealable,

CHAPTER III

MAINTENANCE AND GUARDIANSHIP

XI The wife and minor children except married daughters under the guardianship of their husbands, shall be entitled to be maintained by the husband or father as the case may be;

Maintenance of wife and minor children.

Provided that the wife shall not be entitled to maintenance if she refuses to live with the husband without just cause or has changed her religion.

Nothing herein contained shall affect the right of the wife or widow and children to be maintained by their own tharavad-

XII. The husband shall be the legal guardian of his minor wife, and the father the legal guardian of his minor children in respect of their person and property.

Guardianship of minor wife and children.

XIII. Where the wife has minor children by a former husband, deceased or divorced, she shall be the legal guardian in respect of their person as also of the separate properties belonging to them.

Guardianship of minor children by former husband,

CHAPTER IV.

INTESTATE SUCCESSION.

XIV. (1) On the death of an Ezhava male leaving him surviving a widow or father or mother or all or any of them and also children or lineal descendants of deceased children or both, they shall take the whole of the self acquired and separate property left undisposed of by him at his death. In the absence of the father, mother and the widow, the children, and the lineal descendants of the deceased children shall take the whole and in the absence of the father, mother, widow and children, the lineal descendants of deceased children shall take the whole.

Where intestate Ezhava male has left widow, father mother, children or lineal descendants.

(2) The distribution of the estate under subsection (1) shall be according to the following rules :--

(a) The widow or widows if there are more than one and the father and mother shall each be entitled to a share equal to that of a son or daughter.

(b) Sons and daughters shall take the property in equal shares :

Provided that if a son or daughter shall have predeceased the intestate the lineal descendants of such child shall take the share which such child would have taken had it survived the intestate.

(c) Grand children shall take in equal shares what their father or mother would have taken had he or she survived the intestate. In like manner, the property shall go to the surviving lineal descendants of the intestate where they are all in the degree of great grand children to him or in a more remote degree.

ILLUSTRATIONS.

(a) Z dies intestate leaving A and B two widows, C his father, D his mother, E a son, F a daughter and the lineal descendants of a deceased son G. A, B, C, D, E, and F each gets 1/7 of the estate and the lineal descendant of G together get 1/7 of the estate.

(b) Z dies leaving him surviving A son, B, a daughter, two grand children by a deceased daughter C, and two grand children and one great grand child by a deceased son D. A and B shall each be entitled to 1/4 of Z's estate ; each of the grand children by C shall be entitled 1/8; each of the grand children by D shall be entitled to 1/12 ; and the great grand child by D shall be entitled to 1/12 of Z's estate.

Devolution of self acquired or separated property of a male in the absence of children

XV. On the death of an Ezhava male leaving him surviving no children but only a widow, father and mother, one half of his separate or selfacquired property left undisposed of by him at his death shall devolve on the widow and the other half on his father and mother in equal shares. In the absence of the widow, the whole shall devolve on the father and mother. In the absence of the father the whole shall devolve on the mother and the widow. In the absence of the mother the property which would have devolved on her had she survived the intestate shall devolve on her Thavazhee. In the absence of the father and members of his Thavazhee the whole shall devolve on the widow ;

Provided that the widow shall be entitled to be in possession of the property till division is effected.

Devolution of self acquired or separate property of a male in the absence of wife, children, members of his Thavazhee or father.

XVI. On the death of an Ezhava male leaving him surviving none of the heirs referred to in Sections 14 and 15 his self-acquired or separate property left undisposed of by him at his death, shall devolve on the Thavazhee of his grand mother or on the Thavazhee of his female ascendants, the nearer excluding the more remote.

XVII. On the death of an Ezhava female, the whole of her self-acquired or separate property left undisposed of by her at her death, shall devolve on her own Thavazhee.

If she dies leaving her surviving no members of her Thavazhee, but her husband, father, and members of her mother's Thavazhee, one half of such property shall devolve on her husband and the other half on the father and the mother's Thavazhee. In the absence of the husband, the father and the mother's Thavazhee shall take the whole. In the absence of the father, one half of such property shall devolve on the husband and the other half on the mother's Thavazhee. In the absence of the mother's Thavazhee, the husband and the father shall take the property in equal shares.

Devolution of self acquired or separate property of a female.

XVIII. On the death of an Ezhava female leaving her surviving neither members of her Thavazhee nor other members of her mother's Thavazhee, nor husband nor father, but only the Thavazhee of her grand mother or of her other more remote female ascendants her self-acquired or separate property left undisposed of by her at her death shall devolve on such Thavazhee the nearer excluding the more remote.

Devolution of such property in the absence of her or her mother's Thavazhee or husband or father.

EXPLANATION.

(1) If the deceased person was in management of his or her Tharavad or of undivided Makkathayam property, one half of the acquisition, if any, made by such person during such management with the aid of the income from such Tharavad or Makkathayam properties, as the case may be shall be treated as that person's self-acquisition for the purpose of this Chapter in addition to other self-acquisitions.

EXPLANATION.

(2) The expression children in the case of an intestate male and the expression Thavazhee in the case of an intestate female shall for the purpose of chapter IV of this Act include the issue of such intestate male or female how low so ever.

CHAPTER V.

TESTAMENTARY SUCCESSION.

XIX. Notwithstanding anything contained in Act VI of 1074, an Ezhava may dispose of, by will, the whole of his or her self-acquired or separate property.

Testamentary power.

EXPLANATION.

For the purpose of Chapters IV and V of this Act the share of a member in his or her Tharavad shall be deemed to be the separate property of such member.

CHAPTER VI.

ALIENATION.

XX. Alienation of Tharavad properties shall not bind the share of any member of the Tharavad unless that member is a party to such alienation.

Alienation.

When a member of a Tharavad alienates the whole or any portion of his or her portion therein, to any one other than a member of such Tharavad the alienee shall not be entitled to joint possession of the properties, with the other members.

No decree obtained against a Tharavad shall bind any member thereof unless that member is a party to such decree.

CHAPTER VII.

PARTITION.

XXI. (1) Tharavad property.—

For the purposes of partition the members of a Marumakkathayam Tharavad shall be deemed to be Tenants-in-common from the date of the passing of this Act.

(2) Makkathayam property:—

Except where a contrary intention is expressed in the instrument of gift or bequest, if any, Makkathayam property acquired after the date of the passing of this Act shall be liable to be divided among the wife and each of the children in equal shares;

Provided that, in the partition of the Makkathayam property the issue how low so ever of a deceased child shall be entitled to only such share as the child itself, if alive, have taken.

STATEMENT OF OBJECTS AND REASONS.

It is now 14 years and more since the Ezhava Act has come into force. So we have had ample opportunities to note the variety of frictions in the practical application of the law. As the community is in the mould of transformation, undergoing rapid progress, I think the law governing them should never be a hindrance to them.

By amending the Act, I have mainly brought the law in parallel to some of the sister Acts of the State.

None is more responsible for the welfare of an individual than the father under the existing circumstances of the community. It is a pity that father parted from his kith and kin and spending his life for the uplift of his children who are now recognised as his legal representatives, is not in turn recognised as the heir of his children though mother is recognised as such. It is only a bare justice to recognise the father too as an heir to his children though it is a novelty to the principles of the old Marumakkathayam law of inheritance which has well-nigh bid farewell to the present generation.

N. R. KRISHNAN,
Member, Sri Mulam Assembly.

Annexure I.

R. O. C. No. 274 of 40/Legis.

The following Bill together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry, Trivandrum, 29th February 1940.

M. K. NILAKANTA AIYAR, *Chief Secretary to Government.*

THE TRAVANCORE COMPANIES ACT (AMENDMENT) BILL.

Preamble.

Whereas it is expedient to amend the Travancore Companies Act, IX of 1114 for certain purposes; It is hereby enacted as follows:—

Short title extent and commencement.

1. (1) This Act may be called the Travancore Companies (Amendment) Act, 111 .

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Amendment of Section 28, Act IX of 1114.

2. In Section 28 of the Travancore Companies Act, IX of 1114, (hereinafter referred to as the said Act) the following shall be added as sub-section (5), namely:—

"(5) Our Government may, by notification in Our Government Gazette exempt any association registered under sub-section (1) from the requirements of Sections 82, 166 and 169 relating to affidavits and sworn statements in support of balance sheets, reports and accounts, either absolutely or subject to such conditions or modifications as may be specified in the notification."

Amendment of Section 103, Act IX of 1114.

3. In sub-section (2) of Section 103 of the said Act, for the words "sent to," the words "file with" shall be substituted.

Amendment of Section 131, Act IX of 1114.

4. In sub-section (4) of Section 131 of the said Act, for the figures "138," the figures "133" shall be substituted.

Amendment of Section 144, Act IX of 1114.

5. In clause (d) of Section 144 of the said Act, after the words "particulars in the register" the following words shall be added, namely:—

"referred to in Section 146."

Amendment of Section 146, Act IX of 1114.

6. In sub-section (1) of Section 146 of the said Act,—

(*a*) between the words "charges created by the Company" and the words "after the commencement" the words "and all charges subsisting on properties acquired" shall be inserted; and

(*b*) between the words and figures "under Section 142" and the words "and shall" the words and figures "or Section 143" shall be inserted,

7. In Section 148 of the said Act, for the word and figures "section 142" where they occur for the first time the words and figures "Sections 142 and 143" shall substituted.

Amendment of Section 148, Act IX of 1114.

8. In sub-section (1) of Section 150 of the said Act, between the figures "142" and the words "but registration of any such mortgage" the following shall be inserted, namely :—

Amendment of Section 150, Act IX of 1114.

"and of the charges referred to in Section 143."

9. In Section 151 of the said Act, for the word and figures "Section 142" the words and figures "Section 142 or Section 143" shall be substituted.

Amendment of Section 151, Act IX of 1114.

10. (1) In sub-section (1) of Section 155 of the said Act, for the words "to give intimation to the Registrar" the following shall be substituted, namely :—

Amendment of Section 155, Act IX of 1114.

"to file with the Registrar a memorandum of satisfaction in the prescribed form in respect".

(2) In sub-section (2)—

(*a*) for the word "intimation," the word "memorandum" shall be substituted; and

(*b*) a colon shall be substituted for the full stop, and the following shall be added as a proviso, namely :—

"Provided that if in the opinion of the Registrar it will be more expedient to give notice by publication in Our Government Gazette, a notification so published shall be deemed to be sufficient notice for purposes of this section."

11. In sub-section (1) of Section 157 of the said Act, between the words "Every Company shall keep" and the words "a register of mortgages," the words "at its registered office" shall be inserted.

Amendment of Section 157, Act IX of 1114.

12. In sub-section (2) of Section 159 of the said Act, for the words "two annas," the words "four chuckrams" shall be substituted.

Amendment of Section 159, Act IX of 1114.

13. In sub-section (3) of Section 165 of the said Act, between the words "registered address of every member" and the words "of the company," the words "and also to the auditors" shall be inserted.

Amendment of Section 165, Act IX of 1114.

14. In sub-section (3) of Section 166 of the said Act, for the brackets and figure "(3)", the brackets and figure "(4)" shall be substituted.

Amendment of Section 166, Act IX of 1114.

15. In Section 170 of the said Act,—

Amendment of Section 170, Act IX of 1114.

(a) in sub-section (1), for the words "copies thereof" the words "three copies thereof" shall be substituted; and

(b) in sub-section (2), for the word "copy", the word "copies" shall be substituted.

16. In Section 335 of the said Act,—

Amendment of Section 335, Act IX of 1114.

(a) for clause (c) of sub-section (1), the following clause shall be substituted, namely:—

"(c) a list containing the names and addresses of the Directors and a list containing the names and addresses of the Managers (if any) of the company;"

(b) in the last para of sub-section (1)—

(i) for the words "or in the Directors or Managers" the words "or in the names or addresses of the Directors or in the names or addresses of the Managers" shall be substituted;

(ii) for the word "as" occurring after the words "or in the names or addresses of any such persons" the words "or in" shall be substituted; and

(iii) between the words "principal place of business" and the word "aforesaid", the word "as" shall be inserted;

(c) in clause (i) of sub-section (3), for the words "a copy of that balance sheet", the words "three copies of that balance sheet" shall be substituted, and between the words "such supplementary statements" and the words "as shall furnish", the words "in triplicate" shall be inserted; and

(d) in clause (ii) of sub-section (3), between the words "such a statement" and the word "in the form", the words "in triplicate" shall be inserted.

17. In Section 347 of the said Act,—

Amendment of Section 347, Act IX of 1114.

(a) in sub-section (1), for the words "before the tenth day of every month a statement", the words "before the tenth day of every English Calendar month, three copies of a statement in English" shall be substituted; and

(b) after sub-section (1), the following Explanation shall be added, namely:—

"Explanation. The cash reserve referred to in this sub-section does not include cash with other bankers at call, but shall include, if so notified by Our Government, deposits by the Bank in Our Government Treasury Savings Bank."

18. After Section 348 of the said Act, the following new Section shall be inserted, namely:—

Insertion of a new Section to Act IX of 1114.

"348 A. (1) Every Banking Company shall, before the last week in the month of Karkadagom in every year, file with the Registrar a return regarding its holidays for the next Malabar year over and above those notified under the Negotiable Instruments Act, II of 1075, and shall, from time to time, file with the Registrar notice of any change in such holidays. A copy of every such return and notice shall be displayed in a conspicuous place in the premises of the office of the Company.

Return as to holidays.

(2) The notice of any change in the holidays referred to in the above sub-section shall be filed with the Registrar within fourteen days after such change has been decided upon by the Directors.

(3) No holidays other than those notified under the Negotiable Instruments Act, II of 1075, shall be given without the previous permission of the Board of Directors as evidenced by a resolution of the Board and without a Notice being filed with the Registrar as required by sub-sections (1) and (2) of this section.

(4) If default is made in complying with any of the requirements of this section, every Director or other officer of the company who is knowingly and wilfully a party to the default shall be liable to a fine not exceeding fifty rupees for every day during which the default continues."

Statement of Objects and Reasons.

It has been found in practice that some of the provisions of the Travancore Companies Act (IX of 1114) require modifications. Associations not for profit registered under Section 28 of the Act stand on a different footing from other Companies incorporated under the Act. The provisions contained in Sections 82, 166 and 169 relating to affidavits and sworn statements in support of balance sheets, reports and accounts, it is found, cannot be fully conformed to in the case of a few of these associations. Public interests require that such associations should be exempted from the provisions of these Sections in certain cases. Hence power is conferred on Government to exercise the power of exemption in appropriate cases. *Vide* Clause 2 of the Bill.

The words "sent to the Registrar", "give intimation to the Registrar" etc,. when construed with Table B of Schedule A are liable to misinterpretation. To avoid this and for the sake of uniformity the words "file with" are proposed to be substituted. *Vide* Clauses 3 and 10.

The balance sheet and the monthly statements that are to be filed under Sections 170, 335 and 347 are intended as records to be kept in the office of the Registrar of Joint Stock Companies. These documents afford abundant materials for investigation and study of the banking problems in the State as compared with similar or allied problems outside the State. It is found in actual practice that such work could be undertaken and effectually carried out if at least two more copies are made available. Hence the proposed amendment to Sections 170, 335 and 347. See Clauses 15, 16 and 17.

There is no statutory obligation to send a copy of the balance sheet to the auditors whose certification is an essential pre-requisite to its validity. The auditors are not generally furnished with these copies. There are obvious advantages in making it obligatory to send one to the Auditor also. Hence Clause 13.

Under Section 347 every Banking Company is directed to keep a cash balance in cash. It is found that it is to the interests of the Banks themselves to include within its scope any deposit made in the Government Treasury as equivalent to cash balance. Hence Clause 17. It is found that in the case of some banking concerns, holidays other than those provided for by the Negotiable Instruments Act are granted, and that without any previous intimation. This privilege is resorted to even for the purpose of evading some of the statutory duties. It is proposed that this practice should be put a stop to. Hence Clause 18.

Advantage is also taken of the opportunity to correct certain obvious mistakes and omissions. Hence Clauses 4 to 9, and 14 and 16.

S. KRISHNA PILLAI,

Legal Remembrancer to Government.

Annexure II.

R. O. C. No. 572 of 40/Legis.

The following Bill, together with the Statement of objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order.)

Huzur Cutcheryy,
Trivandrum, 22nd May 1940.

M. K. NILAKANTA AIYAR,
Chief Secretary to Government.

THE TRAVANCORE COMPANIES ACT SECOND AMENDMENT BILL.

Preamble.

Whereas it is expedient further to amend the Travancore Companies Act, IX of 1114, for a certain purpose; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Travancore Companies Second Amendment Act, 111 .

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Amendment of Section 254, Act IX of 1114.

2. After sub-section (5) of Section 254 of the Travancore Companies Act IX of 1114, the following shall be added as a new sub-section, namely:—

"(6) The provisions of the Travancore Arbitration Act, other than those restricting the application of the Act in respect of the subject matter of the arbitration, shall apply to all arbitrations in pursuance of this section".

Statement of objects and reasons.

At the time the Travancore Companies Act IX of 1114 was passed, there was no special enactment in force governing arbitration. Now that the Travancore Arbitration Act has been passed as Act XI of 1115, it is considered necessary to specifically provide for the application of the Act to arbitrations in pursuance of Section 254 of the Companies Act. Hence the proposed amendment.

S. KRISHNA PILLAI,
Legal Remembrancer to Government.

Annexure III.

R. O. C. No. 273 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry, M. K. NILAKANTA AIYAR,

Trivandrum, 29th February 1940. *Chief Secretary to Government.*

THE TRAVANCORE PAYMENT OF WAGES BILL.

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15. Claims arising out of deductions from wages or delay in payment of wages and penalty for malicious or vexatious claims.
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AN ACT TO REGULATE THE PAYMENT OF WAGES TO CERTAIN CLASSES OF PERSONS EMPLOYED IN INDUSTRY.

Preamble.

Whereas it is expedient to regulate the payment of wages to certain classes of persons employed in industry; It is hereby enacted as follows :—

Short title, extent, commencement and application.

1. (1) This Act may be called the Travancore Payment of Wages Act, 111 .

(2) It extends to the whole of Travancore.

(3) It shall come into force on such date as Our Government may, by notification in Our Government Gazette appoint.

(4) It applies in the first instance to the payment of wages to persons employed in any factory.

(5) Our Government may, after giving three months' notice of its intention of so doing, by notification in Our Government Gazette, extend the provisions of the Act or any of them to the payment of wages to any class of persons employed in any industrial establishment or in any class or group of industrial establishment.

(6) Nothing in this Act shall apply to wages payable in respect of a wage-period which, over such wage-period average two hundred rupees a month or more.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(i) "factory" means a factory as defined in clause (*j*) of Section 2 of the Travancore Factories Act, VIII of 1114.

(ii) "industrial establishment" means any :

(*a*) motor omnibus service ;

(*b*) dock, wharf or jetty ;

(*c*) inland steam vessel ;

(*d*) mine, quarry or oil-field ;

(*e*) plantation ;

(*f*) work shop or other establishment in which articles are produced, adapted or manufactured with a view to their use, transport or sale ;

(iii) "plantation" means any estate which is maintained for the purpose of growing cinchona, rubber, coffee, tea or cardamom and on which twenty-five or more persons are employed for that purpose ;

(iv) "prescribed" means prescribed by rules made under this Act;

(v) "wages" means all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable, whether conditionally upon the regular attendance, good work or conduct or other behaviour of the person employed, or otherwise, to a person employed in respect of his employment or of work done in such employment and includes any bonus or other additional remuneration of the nature aforesaid which would be so payable and any sum payable to such person by reason of the termination of his employment, but does not include—

(a) the value of any house-accommodation, supply of light, water, medical attendance or other amenity or of any service excluded by general or special order of Our Government;

(b) any contribution paid by the employer to any pension fund or provident fund;

(c) any travelling allowance or the value of any travelling concession;

(d) any sum paid to the person employed to defray special expenses entitled on him by the nature of his employment; or

(e) any gratuity payable on discharge.

Responsibility for payment of wages.

3. Every employer shall be responsible for the payment to persons employed by him of all wages required to be paid under this Act:

Provided that, in the case of persons employed (otherwise than by a contractor)—

(a) in factories, if a person has been named as the manager of the factory under clause (e) of sub-section (1) of Section 9 of the Travancore Factories Act, VIII of 1114,

(b) in industrial establishments, if there is a person responsible to the employer for the supervision and control of the industrial establishment, the person so named or the person so responsible to the employer, as the case may be, shall be responsible for such payment.

Fixation of wage-periods.

4. (1) Every person responsible for the payment of wages under Section 3 shall fix periods (in this Act referred to as wage-periods) in respect of which such wages shall be payable.

(2) No wage-period shall exceed one month.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2) Our Government may by notification in Our Government Gazette fix any shorter wage-period for any class of factory or industrial establishment or any such factory or industrial establishment in any specified area.

Time of payment of wages.

5. (1) The wages of every person employed upon or in—

(a) any factory or industrial establishment upon or in which less than one thousand persons are employed, shall be paid before the expiry of the seventh day.

(*b*) any other factory or industrial establishment, shall be paid before the expiry of the tenth day, after the last day of the wage-period in respect of which the wages are payable.

(2) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day from the day on which his employment is terminated.

(3) All payments of wages shall be made on a working day.

Wages to be paid in current coin or currency notes.

6. All wages shall be paid in current coin or currency notes or in both.

Deductions which may be made from wages.

7. (1) The wages of an employed person shall be paid to him without deductions of any kind except those authorised by or under this Act.

Explanation—Every payment made by the employed person to the employer or his agent shall, for the purposes of this Act, be deemed to be a deduction from wages.

(2) Deductions from the wages of an employed person shall be made only in accordance with the provisions of this Act, and may be of the following kinds only, namely :—

(*a*) fines ;

(*b*) deductions for absence from duty ;

(*c*) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default ;

(*d*) deductions for house-accommodation supplied by the employer ;

(*e*) deductions for such amenities and services supplied by the employer as Our Government may by general or special order, authorise ;

Explanation—The word 'services' in this sub-clause does not include the supply of tools and raw materials required for the purposes of employment.

(*f*) deductions for recovery of advances or for adjustment of over payments of wages ;

(*g*) deductions of income tax payable by the employed person ;

(*h*) deductions required to be made by order of a Court or other authority competent to make such order ;

(*i*) deductions for subscriptions to and for repayment of advances from any provident fund approved in this behalf by Our Government during the continuance of such approval ; and

(*j*) deductions for payments to co-operative societies approved by Our Government or to a scheme of insurance maintained by Our Government,

Fines.

8. (1) No fine shall be imposed on any employed person save in respect of such acts and omissions on his part as the employer, with the previous approval of Our Government or of the prescribed authority, may have specified by notice under sub-section (2).

(2) A notice specifying such acts and omissions shall be exhibited in the prescribed manner on the premises in which the employment is carried on.

(3) No fine shall be imposed on any employed person until he has been given an opportunity of showing cause against the fine, or otherwise than in accordance with such procedure as may be prescribed for the imposition of fines.

(4) The total amount of fine which may be imposed in any one wage-period on any employed person shall not exceed an amount equal to one chuckram in the rupee of the wages payable to him in respect of that wage-period.

(5) No fine shall be imposed on any employed person who is under the age of fifteen years.

(6) No fine imposed on any employed person shall be recovered from him by instalments or after the expiry of sixty days from the day on which it was imposed.

(7) Every fine shall be deemed to have been imposed on the day of the act or omission in respect of which it was imposed.

(8) All fines and all realisations thereof shall be recorded in a register to be kept by the person responsible for the payment of wages under Section 3 in such form as may be prescribed; and all such realisations shall be applied only to such purposes beneficial to the persons employed in the factory or establishment as are approved by the prescribed authority.

Explanation—When the persons employed upon or in any factory or industrial establishment are part only of a staff employed under the same management, all such realisations may be credited to a common fund maintained for the staff as a whole, provided that the fund shall be applied only to such purposes as are approved by the prescribed authority.

Deductions for absence from duty.

9. (1) Deductions may be made under clause (*b*) of sub-section (2) of Section 7 only on account of the absence of an employed person from the place or places where, by the terms of his employment, he is required to work, such absence being for the whole or any part of the period during which he is so required to work.

(2) The amount of such deduction shall in no case bear to the wages payable to the employed person in respect of the wage-period for which the deduction is made a larger proportion than the period for which he was absent bears to the total period, within such wage-period, during which by the terms of his employment, he was required to work:

Provided that, subject to any rules made in this behalf by Our Government, if ten or more employed persons acting in concert absent themselves without due notice (that is to say without giving the notice

which is required under the terms of their contracts of employment) and without reasonable cause, such deduction from any such person may include such amount not exceeding his wages for eight days as may by any such terms be due to the employer in lieu of due notice.

Explanation.—For the purpose of this section, an employed person shall be deemed to be absent from the place where he is required to work, if, although present in such place, he refuses, in pursuance of a stay-in strike or for any other cause which is not reasonable in the circumstances, to carry out his work.

Deductions for damage or loss.

10. (1) A deduction under clause (*c*) of sub-section (2) of Section 7 shall not exceed the amount of the damage or loss caused to the employer by the neglect or default of the employed person and shall not be made until the employed person has been given an opportunity of showing cause against the deduction, or otherwise than in accordance with such procedure as may be prescribed for the making of such deductions.

(2) All such deductions and all realisations thereof shall be recorded in a register to be kept by the person responsible for the payment of wages under Section 3 in such form as may be prescribed.

Deductions for services rendered.

11. A deduction under clause (*d*) or clause (*e*) of sub-section (2) of Section 7 shall not be made from the wages of an employed person unless the house-accommodation, amenity or service has been accepted by him, as a term of employment or otherwise, and such deduction shall not exceed an amount equivalent to the value of the house-accommodation, amenity or service supplied and, in the case of a deduction under the said clause (*e*), shall be subject to such conditions as Our Government may impose.

Deductions for recovery of advances.

12. Deduction under clause (*f*) of sub-section (2) of Section 7 shall be subject to the following conditions, namely:

(*a*) recovery of an advance of money given before employment began shall be made from the first payment of wages in respect of a complete wage period, but no recovery shall be made of such advances given for travelling expenses;

(*b*) recovery of advances of wages not already earned shall be subject to any rules made by Our Government regulating the extent to which such advances may be given and the instalments by which they may be recovered.

Deductions for payments to co-operative societies and insurance schemes.

13. Deductions under clause (*j*) of sub-section (2) of Section 7 shall be subject to such conditions as Our Government may impose.

14. (1) An Inspector of Factories appointed under sub-section (1) of Section 10 of the Travancore Factories Act, VIII of 1114, shall be an Inspector for the purposes of this Act in respect of all factories within the local limits assigned to him.

Inspectors.

(2) Our Government may, by notification in Our Government Gazette appoint such other persons as it thinks fit to be Inspectors for the purposes of this Act, and may define the local limits within which and the class of factories and industrial establishments in respect of which they shall exercise their functions.

(3) An inspector may, at all reasonable hours, enter on any premises, and make such examination of any register or document relating to the calculation or payment of wages and take on the spot or otherwise such evidence of any person, and exercise such other powers of inspection, as he may deem necessary for carrying out the purposes of this Act.

(4) Every Inspector shall be deemed to be a public servant within the meaning of the Travancore Penal Code.

15. (1) Our Government may, by notification in Our Government Gazette appoint any Commissioner for Workmen's Compensation or other officer with experience as a Judge of a Civil Court or as a Stipendiary Magistrate to be the authority to hear and decide for any specified area all claims arising out of deductions from the wages, or delay in payment of the wages of persons employed or paid in that area.

Claims arising out of deductions from wages or delay in payment of wages and penalty for malicious or vexatious claims.

(2) Where contrary to the provisions of this Act any deduction has been made from the wages of an employed person, or any payment of wages has been delayed, such person himself, or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or any Inspector under this Act, or any other person acting with the permission of the authority appointed under sub-section (1), may apply to such authority for a direction under sub-section (3):

Provided that every such application shall be presented within six months from the date on which the deduction from the wages was made or from the date on which the payment of the wages was due to be made, as the case may be:

Provided further that any application may be admitted after the said period of six months when the applicant satisfies the authority that he has sufficient cause for not making the application within such period.

(3) When any application under sub-section (2) is entertained, the authority shall hear the applicant and the employer or other person responsible for the payment of wages under Section 3, or give them an opportunity of being heard and, after such further inquiry (if any) as may be necessary, may, without prejudice to any other penalty to which such employer or other person is liable under this Act, direct the refund to the employed person of the amount deducted, or the

payment of the delayed wages, together with the payment of such compensation as the authority may thick fit, not exceeding ten times the amount deducted in the former case and not exceeding ten rupees in the latter:

Provided that no direction for the payment of compensation shall be made in the case of delayed wages if the authority is satisfied that the delay was due to—

(a) *bona fide* error or *bona fide* dispute as to the amount payable to the employed person, or

(b) the occurrence of an emergency, or the existence of exceptional circumstances, such that the person responsible for the payment of the wages was unable, though exercising reasonable deligence, to make prompt payment, or

(c) the failure of the employed person to apply for or accept payment.

(4) If the authority hearing any application under this section is satisfied that it was either malicious or vexatious, the authority may direct that a penalty not exceeding fifty rupees be paid to the employer or other person responsible for the payment of wages by the person presenting the application.

(5) Any amount directed to be paid under this section may be recovered—

(a) if the authority is a Magistrate, by the authority as if it were a fine imposed by him as Magistrate, and

(b) if the authority is not a Magistrate, to whom the authority makes application in this behalf, as if it were a fine imposed by such Magistrate.

Single application in respect of claims from unpaid group.

16. (1) Employed persons are said to belong to the same unpaid group if they are borne on the same establishment and if their wages for the same wage-period or periods have remained unpaid after the day fixed by Section 5.

(2) A single application may be presented under Section 15 on behalf or in respect of any number of employed persons belonging to the same unpaid group, and in such case the maximum compensation that may be awarded under sub-section (3) of Section 15 shall be ten rupees per head.

(3) The authority may deal with any number of separate pending applications, presented under Section 15 in respect of persons belonging to the same unpaid group, as a single application presented under sub-section (2) of this section, and the provisions of that subsection shall apply accordingly.

Appeal.

17. (1) An appeal against a direction made under sub-section (3) or sub-section (4) of Section 15 may be preferred within thirty days of the date on which the direction was made before the District Court—

(a) by the employer or other person responsible for the payment of wages under Section 3, if the total sum directed to be paid by way of wages and compensation exceeds three hundred rupees, or

(b) by an employed person, if the total amount of wages claimed to have been withheld from him or from the unpaid group to which he belonged exceeds fifty rupees, or

(c) by any person directed to pay a penalty under sub-section (4) of Section 15.

(2) Save as provided in sub-section (1), any direction made under sub-section (3) or sub-section (4) of Section 15 shall be final.

Powers of authorities appointed under Section 15.

18. Every authority appointed under sub-section (1) of Section 15 shall have all the powers of a Civil Court under the Code of Civil Procedure, 1100 for the purpose of taking evidence and of enfrcoing the attendance of witnesses and compelling the production of documents, and every such authority shall be deemed to be a Civil Court for all the purposes of Section 173 and of Chapter XXXIV of the Code of Criminal Procedure.

Power to recover from employer in certain cases

19. When the authority referred to in Section 15 or the Court referred to in Section 17 is unable to recover from any person (other than an employer) responsible under Section 3 for the payment of wages any amount directed by such authority under Section 15 or Section 17 to be paid by such person, the authority shall recover the amount from the employer of the employed person concerned.

Penalty for offences under the Act.

20. (1) Whoever being responsible for the payment of wages to an employed person contravense any of the provisions of any of the following sections namely, Section 5 and Sections 7 to 13 both inclusive shall be punishable with fine which may extend to five hundred rupees.

(2) Whoever contravenes the provisions of Section 4 Section 6 or Section 24 shall be punishable with fine which may extend to two hundred rupees.

Procedure in trial of offences.

21. (1) No Court shall take cognizance of a complaint against any person for an offence under sub-section (1) of Section 20 unless an application in respect of the facts constituting the offence has been presented under Section 15 and has been granted wholly or in part and the anthority empowered under the latter section or the Appellate Court granting such application has sanctioned the making of the complaint.

(2) Before sanctioning the making of a complaint against any person for an offence under sub-section (1) of Section 20 the authority empowered under Section 15 or the Appellate Court, as the case may be, shall give such person an opportunity of showing cause againt the granting of such sanction and the sanction shall not be granted if such person satisfies the authority or Court that his default was due to:

(a) a *bona fide* error or *bona fide* dispute as to the amount payable to the employed person, or

(*b*) the occurrence of an emergency, or the existence of exceptional circumstances, such that the person responsible for the payment of the wages was unable, though exercising reasonabl deligence, to make prompt payment, or

(*c*) the failure of the employed person to apply for or accept payment.

(3) No Court shall take cognizance of a contravention of Section 4 or of Section 6 or of a contravention of any rule made under Section 25 except on a complaint made by or with the sanction of an Inspector under this Act.

(4) In imposing any fine for an offence under sub-section (1) of Section 20 the Court shall take into consideration the amount of any compensation already awarded against the accused in any proceedings taken under Section 15.

Bar of Suits.

22. No Court shall entertain any suit for the recovery of wages or of any deduction from wages in so far as the sum so claimed—

(*a*) forms the subject of an application under Section 15 which has been presented by the plaintiff and, which is pending before the authority appointed under that section or of an appeal under Section 17; or

(*b*) has formed the subject of a direction under Section 15 in favour of the plaintiff; or

(*c*) has been adjudged, in any proceeding under Section 15, not to be owed to the plaintiff; or

(*d*) could have been recovered by an application under Section 15.

Contracting out.

23. Any contract or agreement, whether made before or after the commencement of this Act, whereby an employed person relinquishes any right conferred by this Act shall be null and void in so far as it purports to deprive him of such right.

Display by notice of abstracts of the Act.

24. The person responsible for the payment of wages to persons employed in a factory shall cause to be displayed in such factory a notice containing such abstracts of this Act and of the rules made thereunder in English and in the language of the majority of the persons employed in the factory, as may be prescribed.

Rule-making power.

25. (1) Our Government may make rules to regulate the procedure to be followed by the authorities and Courts referred to in Sections 15 and 17.

(2) Our Government may, by notification in Our Government Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(3) In particular and without prejudice to the generality of the foregoing power, rules made under sub-section (2) may—

(*a*) require the maintenance of such records, registers, returns and notices as are necessary for the enforcement of the Act and prescribe the form thereof;

(b) require the display in a conspicuous place on premises where employment is carried on of notices specifying rates of wages payable to persons employed on such premises;

(c) provide for the regular inspection of the weight, measures and weighing machines used by employers in checking or ascertaining the wages of persons employed by them;

(d) prescribe the manner of giving notice of the days on which wages will be paid;

(e) prescribe the authority competent to approve under sub-section (1) of Section 8 acts and omissions in respect of which fines may be imposed;

(f) prescribe the procedure for the imposition of fines under Section 8 and for the making of the deductions referred to in Section 10;

(g) prescribe the conditions subject to which deductions may be made under the proviso to sub-section (2) of Section 9;

(h) prescribe the authority competent to approve the purposes on which the proceeds of fines shall be expended;

(i) prescribe the extent to which advances may be made and the instalments by which they may be required with reference to clause (b) of Section 12;

(j) regulate the scales of costs which may be allowed in proceedings under this Act;

(k) prescribe the amount of court-fees payable in respect of any proceedings under this Act; and

(l) prescribe the abstracts to be contained in the notices required by Section 24.

(4) In making any rule under this section Our Government may provide that a contravention of the rule shall be punishable with fine which may extend to two hundred rupees.

(5) All rules made under this section thall be subject to the condition of previous publication, and the date to be specified under clause (c) of Section 6 of the Travancore General Clauses Act of 1072, shall not be less than three months from the date on which the draft of the proposed rules was published.

STATEMENT OF OBJECTS AND REASONS.

Since the enactment of the Trade Unions Act, VIII of 1112, the Factories Act VIII of 1104, the Trade Disputes Act V of 1114, and the Workmen's compensation Act XIII of 1114. Government have been watching developments and improvements in labour conditions in the State. The board of conciliation appointed to inquire into the labour conditions in the mats and matting industry have reported in favour of regulation of payment of wages by statutory enactment. Hence the Bill. It follows closely the provisions of the British Indian Payment of Wages Act (IV of 1936).

S. Krishna Pillai,
Legal Remembrancer to Government.

IV

R. O. C. No. 368 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry,
Trivandrum, 25th March 1940.

M. K. NILAKANTA AIYAR,
Chief Secretary to Government.

THE TRAVANCORE EXPLOSIVES BILL.

An Act to amend and consolidate the law regulating the manufacture, possession, use, sale, transport and imporation of explosives.

Preamble.

Where it is expedient to amend and consolidate the law to regulate the manufacture, possession, use, sale, transport and importation of explosives; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act, may be called the Travancore Explosives Act, 111 .

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is something repugnant in the subject or context,

(1) "explosive"

(*a*) means gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powders, fulminate of mercury or of other metals, coloured fires and every other substance, whether similar to those above mentioned or not, used or manufactured with a view to produce a practical effect by explosion, or a pyrotechnic effect ;

(*b*) includes fog-signals, fireworks, fuses, rockets, percussion-caps, detonators cartridges, ammunition of all descriptions and every adaptation or preparation of an explosive as above defined.

(2) 'manufacture" includes the process of dividing into its component parts, or otherwise breaking up or unmaking, any explosive, or making fit for use any damaged explosive, and the process of remaking, altering or repairing any explosive :

(3) "vessel" includes every ship, boat and other vessel used in navigation, whether propelled by oars or otherwise :

(4) 'carriage" includes any carriage, wagon, cart, truck, vehicle or other means of conveying goods, or passengers by land, in whatever manner the same may be propelled :

(5) "master" includes every person except a pilot or harbour-master having for the time being command or charge of a vessel : provided that, in reference to any boat belonging to a ship, "master" shall mean the master of the ship :

(6) "import" means to bring into Travancore by sea or land.

3. (1) Our Government may make rules consistent with this Act to regulate or prohibit, except under and in accordance with the conditions of a license granted as provided by those rules, the manufacture, possession use, sale, transport and importation of explosives, or any specified class of explosives.

Power to make rules as to licencing of the manufacture, possession, use, sale. transport and importation of explosives.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say :—

(*a*) the authority by which the licenses may be granted;

(*b*) the fees to be charged for licenses, and the othe sums (if any) to be paid for expenses by applicants for licenses;

(*c*) the manner in which applications for licenses must be made, and the matters to be specified in such applications;

(*d*) the form in which, and the conditions on and subject to which, licenses must be granted;

(*e*) the period for which licenses are to remain in force; and

(*f*) the exemption absolutely or subject to conditions of any explosives from the operation of the rules.

(3) In making rules under this section Our Government may by the rules impose penalties on all persons manufacturing, possessing, using, selling, transporting or importing explosives in breach of the rules, or otherwise contravening the rules:

Provided that the maximum penalty which may be imposed by any such rules shall not exceed—

(*a*) in the case of a person so importing or manufacturing an explosive, a fine which may extend to three-thousand rupees,

(*b*) in the case of a person so possessing, using or transporting an explosive, a fine which may extend to one-thousand rupees;

(*c*) in the case of a person so selling an explosive, a fine which may extend to five-hundred rupees; and

(*d*) in any other case, two-hundred rupees.

4. (1) Notwithstanding anything in the rules under the last foregoing section, Our Government may, from time to time, by notification in Our Government Gazette prohibit, either absolutely or subject to conditions the manufacture, possession or importation of any explosive which is of so dangerous a character that, in the opinion of Our Government, it is expedient for the public safety to issue the notification.

Power for Government to prohibit the manufacture possession or importation of specially dangerous explosives.

(2) The officers of sea customs at every port shall have the same power in respect of an explosive with regard to be importation of which a notification has been issued under this section and the vessel containing the explosive as they have for the time being in respect of any article the importation of which is prohibited or regulated by the law relating to sea customs and the vessel containing the same; and the enactments for the time being in force relating to sea customs or any such article or vessel shall apply accordingly,

(3) Any person manufacturing, possessing or importing an explosive in contravention of a notification issued under this section shall be punished with fine which may extend to three-thousand rupees, and in the case of importation by water the owner and master of the vessel in which the explosive is imported shall, in the absence of reasonable excuse, each be punished with fine which may extend to three-thousand rupees.

Power to make rules conferring powers of inspection, search, seizure detention and removal.

5. (1) Our Government may make rules consistent with this Act authorising any officer, either by name or in virtue of his office.—

(*a*) to enter, inspect and examine any place, cariage or vessel in which an explosive is being manufactured, possessed, used, sold, transported or imported under a license granted under this Act, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of this Act or of the rules made under this Act;

(*b*) to search for explosive therein,

(*c*) to take samples of any explosive found therein on payment of the value thereof; and

(*d*) to seize, detain, remove and, if necessary, destroy any explosive found therein.

(2) The provisions of the Code of Criminal Procedure, Act V of 1067 relating to searches under that code shall, so far the same are applicable: apply to searches by officers authorised by rules under this section.

Notice of accidents.

6. Whenever there occurs in or about, or in connection with, any place in which an explosive is manufactured, possessed or used, or any carriage or vessel either conveying an explosive or on or from which an explosive is being loaded, or unloaded, any accident by explosion or by fire attended with loss of human life or serious injury to person or property or of a description usually attended with such loss or, injury, the occupier of the place, or the master of the vessel or the person in charge of the carriage as the case may be, shall forthwith give the notice thereof to the officer in charge of the nearest police station.

Inquiry into accidents.

7. (1) Whenever, in the opinion of a District Magistrate, or any Magistrate of the First Class specially empowered by Our Government in this behalf, an inquiry is necessary into the cause of any accident of the description mentioned in Section 6, he may either himself make the inquiry or direct a Magistrate subordinate to himself to make the inquiry.

(2) Any Magistrate making an inquiry under this section shall, for the purposes of conducting the inquiry, have all the powers which he would have in holding an inquiry into an offence under the Code of Criminal Procedure, Act V of 1067,

8. When a person is convicted of an offence punishable under this Act or the rules made under this Act, the Court before which he is convicted may direct that the explosive, or ingredient of the explosive or the substance (if any) in respect of which the offence has been committed, or any part of that explosive, ingredient or substance, shall, with the receptacles containing the same, be forfeited.

Forfeiture of explosives.

9. Where the owner or master of a vessel is adjudged under this Act to pay a fine for an offence committed with, or in relation to, that vessel, the Court may, in addition to any other power it may have for the purpose of compelling payment of the fine, direct it to be levied by distress and sale of the vessel, and the tackle apparel and furniture thereof, or so much thereof as is necessary.

Distress of vessel.

10. Whoever abets, within the meaning of the Travancore Penal Code, the commission of an offence punishable under this Act, or the rules made under this Act, or attempts to commit any such offence and in such attempts does any act towards the commission of the same, shall be punished as if he had committed the offence.

Abetment and attempts.

11. Whoever is found committing any act for which he is punishable under this Act or the rules under this Act, and which tends to cause explosion or fire in or about any place where an explosive is manufactured or stored, or any carriage, ship or boat, may be apprehended without a warrant by a police officer, or by the occupier of, or the agent or servant of, or other person authorised by the occupier of, that place, and be removed from the place where he is arrested and conveyed as soon as conveniently may be before a Magistrate.

Power to arrest without warrant, persons, committing dangerous offences.

12. Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(a) by order of Our Government, or

(b) by any person employed under Our Government in the execution of this Act, or as a keeper of a magazine, artizan, soldier, sailor, airman, policeman or otherwise, in the course of his employment or duty as such.

Saving for manufacture, possession, use, sale, transport or importation by Government.

13. Nothing in this Act shall affect the provisions of the Travancore Arms Act, V of 1084:

Saving of Travancore Arms Act, V of 1084.

Provided that an authority granting a license under this Act for the manufacture, possession, use, sale, transport or importation of an explosive may, if empowered in this behalf by the rules under which the license is granted, direct by an order written on the license that it shall have the effect of a like license granted under the said Travancore Arms Act.

14. Nothing in this Act or the rules under this Act shall prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or those rules, or from being liable under that other law to any other or higher punishment or penalty than that provided by this Act or those rules:

Saving as to liability under other law.

Provided that a person shall not be punished twice for the same offence.

15. Our Government may, from time to time, by notification in Our Government Gazette, declare that any substance which appears to Our Government to be specially dangerous to life or property, by reason either of its explosive properties or of any process in the manufacture thereof being liable to explosion, shall be deemed to be an explosive within the meaning of this Act; and the provisions of this Act (subject to such exceptions, limitations and restrictions as may be specified in the notification) shall accordingly extend to that substance in like manner as if it were included in the definition of the term "explosive" in this Act.

Extension of definition of 'explosive' to other explosive substances.

16. The Travancore Explosives Act (Act V of 1079) is hereby repealed; But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed, under the said Act, shall be deemed to be respectively, given, granted, made, published and prescribed under this Act;

Repeal and Saving.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by or under this Act, continue in force for the periods for which they may have been given or granted respectively.

STATEMENT OF OBJECTS AND REASONS.

The Travancore Explosives Act, V of 1079 deals only with the possession and use of explosives. It does not contain sufficient provisions enabling Government to deal effectively with the manufacture. sale, transport, export and import of explosives and the new and important developments in matters connected with explosives. These defects are now sought to be removed. The Bill embodies the main provisions of the existing Act with suitable modifications and additions for carrying out the above objects. It closely follows the Indian Explosives Act (Act IV of 1884).

S. Krishna Pillai,

Legal Remembrancer to Government,

R. O. C. No. 334 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry,
Trivandrum, 10th April 1940.

M. K. NILAKANTA AIYAR,
Chief Secretary to Government.

THE GOVERNMENT TRADING TAXATION BILL.

Preamble.

Whereas it is expedient to determine the liability to taxation for the time being in force in Travancore of foreign Governments is respect of any trade or business carried on by or on behalf of such Governments; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Government Trading Taxation Act, 111—

(2) It shall come into force on such date as Our Government may, by notification in Our Government Gazette, appoint.

Liability of foreign Governments to taxation in respect of trading operations.

2. (1) Where a trade or business of any kind is carried on by or on behalf of any Government other than the Government of Travancore, that Government shall in respect of the trade or business and of all operations connected therewith, all property occupied in Travancore and all goods owned in Travancore for the purposes thereof, and all income arising in connection therewith, be liable—

(*a*) to taxation under the Travancore Income-Tax Act, VIII of 1096, in the same manner and to the same extent as in the like case a company would be liable;

(*b*) to all other taxation for the time being in force in Travancore in the same manner as in the like case any other person would be liable.

(2) For the purposes of the levy and collection of income-tax under the Travancore Income-tax Act, VIII of 1096, in accordance with the provisions of sub-section (1), any Government to which that sub-section applies shall be deemed to be a company within the meaning of that Act and the provisions of that Act shall apply accordingly.

STATEMENT OF OBJECTS AND REASONS.

The Travancore Income-Tax Act applies only to individuals and associations, corporate and un-incorporate, and does not apply to foreign Governments as such. It is found necessary to make appropriate provision for the same. Hence the Bill.

S. KRISHNA PILLAI,
Legal Remembrancer to Government.

R. O. C. No. 410 of 40/Legis.

The following Bill, together with the statement of Objects and Reasons, is published as ordered by the Dewan, under the Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry, Trivandrum, 10th April 1940.

M. K. NILAKANTA AIYAR, *Chief Secretary to Government.*

THE TRAVANCORE REGISTRATION ACT AMENDMENT BILL.

Preamble.

Whereas it is expedient to amend the Travancore Registration Act 1087 (Act II of 1087) as amended by Acts II of 1098, I of 1106 and II of 1111 for certain purposes. It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Travancore Registration (Amendment) Act 111.

(2) It extends to the whole of Travancore.

(3) It shall come into force at once.

Insertion of a new Section 28 A in Act II of 1087.

2. After Section 28 of the Travancore Registration Act, 1087 (Act II of 1087) as amended by Acts II of 1098, I of 1106 and II of 1111 (hereinafter referred to as the said Act) the following new section shall be inserted in Part VII, namely:—

Re-registration of certain documents.

"28A. Notwithstanding anything to the contrary contained in this Act, if in any case a document requiring registration has been accepted for registration by a Sub-Registrar from a person not duly empowered to present the same, and has been registered, any person claiming under such document may, within ninety days from his first becoming aware that the registration of such document is invalid, present such document or cause the same to be presented, in accordance with the provisions of this Part for re-Registration in the office of the Sub-Registrar in which the document was originally registered; and upon the Sub-Registrar being satisfied that the document was so accepted for registration from a person not duly empowered to present the same, he shall proceed to the re-registration of the document as if it had not been previously registered, and as if such presentation for re-registration was a presentation for registration made within the time allowed therefor under Part V, and all the provisions of this Act, as to registration of documents, shall apply to such re-registration; and such document, if duly re-registered in accordance with the provisions of this section, shall be deemed to have been duly registered for all purposes from the date of its original registration:

Provided that, within three months from the 1st day of Chingom 1116, any person claiming under a document to which this section applies may present the same or cause the same to be presented for re-registration in accordance with this section, whatever may have been the time when he first became aware that the registration of the document was invalid."

3. Section 48 of the said Act shall be deleted.

Deletion of Section 48, Act II of 1087.

Statement of Objects and Reasons.

Under the Registration Act (II of 1087), a Sub-Registrar has no jurisdiction to register a document unless he is moved to do so by a person who has executed, or claims under it or by the representative or assign of such person or by an agent of such person, representative or assign duly authorised by a Power-of-Attorney executed and authenticated in the manner prescribed by Section 26 of the Act. The registration of a document produced by any other person is invalid in law and insufficient to create any interest in the immovable property dealt with under the document. It is desirable to provide against the possible hardship arising in such cases. The preparation of duplicate indexes as provided for in Section 48 has been found to be wasteful of public time and labour serving no useful purpose. Hence the Bill.

S. Krishna Pillai,

Legal Remembrancer to Government.

R. O. C. No. 73 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published, as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry, Trivandrum, 16th April 1940. M. K. NILAKANTA AIYAR, *Chief Secretary to Government.*

THE TRAVANCORE PATENTS AND DESIGNS BILL.

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THE TRAVANCORE PATENTS AND DESIGNS BILL.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING TO THE PROTECTION OF INVENTIONS AND DESIGNS.

Preamble.

Whereas it is expedient to amend and consolidate the law relating to the protection of inventions and designs; It is hereby enacted as follows:—

Preliminary.

Short title, extent and commencement.

1. (1) This Act may be called the Travancore Patents and Designs Act, 111 —

(2) It extends to the whole of Travancore; and

(3) It shall come into force on............

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) "article" means (as respects designs) any article of manufacture and any substance, artificial or natural, or partly artificial and partly natural.

(2) "Controller" means the Controller of Patents and Designs appointed under this Act;

(3) "copyright" means the exclusive right to apply a design to any article in any class in which the design is registered:

(4) "design" means only the features of shape, configuration, pattern or ornament applied to any article by any industrial process or means, whether manual, mechanical or chemical, separate or combined which in the finished article appeal to and are judged solely by the eye; but does not include any mode or principle of construction or anything which is in substance a mere mechanical device, and does not include any trade mark as defined in Section 481, or property mark as defined in Section 482 of the Travancore Penal Code:

(5) "invention" means any manner of new manufacture and includes an improvement and an alleged invention:

(6) "legal representative" means a person who in law represents the estate of a deceased person:

(7) "manufacture" includes any art, process or manner of producing, preparing or making an article, and also any article prepared or produced by manufacture;

(8) "patent" means a patent granted under the provisions of this Act:

(9) "patentee" means the person for the time being entered on the register of patents kept under this Act as the grantee or proprietor of the patent:

(10) "prescribed" includes prescribed by rules under this Act; and

(11) "proprietor" of a new or original design,"—

(*a*) where the author of the design, for good consideration executes the work for some other person, means the person for whom the design is so executed; and

(*b*) where any person acquires the design or the right to apply the design to any article, either exclusively of any other person or otherwise means, in the respect and to the extent in and to which the design or right has been so acquired, the person by whom the design or right is so acquired ; and

(*c*) in any other case, means the author of the design ;
and where the property in, or the right to apply, the design has devolved from the original proprietor upon any other person, includes that other person.

PART I.

Patents.

Application for and Grant of Patents.

Application.

3. (1) An application for a patent may be made by any person whether he is a Travancore subject or not, and whether alone or jointly with any other person.

(2) The application must be made in the prescribed form and must be left at the Patent Office in the prescribed manner.

(3) The application must contain a declaration to the effect that the applicant is in possession of an invention, whereof he, or in the case of a joint application one at least of the applicants' claims to be the true and first inventor or the legal representative or assign of such inventor and for which he desires to obtain a patent, and must be accompanied by a specification and by the prescribed fee.

(4) Where the true and first inventor is not a party to the application, the application must contain a statement of his name, and such particulars for his identification as may be prescribed, and the applicant must show that he is the legal representative or assign of such inventor.

Specification.

4. (1) The specification must particularly describe and ascertain the nature of the invention and the manner in which the same is to be performed.

(2) Where the Controller deems it desirable, he may require that suitable drawings shall be supplied with the specification, or at any time before the acceptance of the application and such drawings shall be deemed to form part of the specification.

(3) The specification must commence with the title, and must end with a distinct statement of the invention claimed.

(4) If in any particular case the Controller considers that an application should be further supplemented by a model or sample of anything illustrating the invention or alleged to constitute an invention, such model or sample as he may require shall be furnished before the acceptance of the application, but such model or sample shall not be deemed to form part of the specification.

Proceedings upon application.

5. (1) The Controller shall examine every application and if he considers that—

(*a*) the nature of the invention is not fairly described, or

(*b*) the application, specification and drawings have not been prepared in the prescribed manner, or

(*c*) the title of the specification does not sufficiently indicate the subject-matter of the invention, or

(*d*) the statement of claim does not sufficiently define the invention, or

(*e*) the invention as described and claimed is *prima facie* not a manner of new manufacture or improvement, or

(*f*) the specification relates to more than one invention, or

(*g*) in the case of an application claiming priority under Section 87, the specification describes and claims an invention substantially larger than or substantially different from the invention disclosed in the specification filed with application made outside Travancore by virtue of which priority is claimed, or

(*h*) in the case of an application for a patent of addition under Section 15, the invention described and claimed in the specification is not an improvement or modification of that described and claimed in the original specification, he may refuse to accept the application or require that the application, specification or drawings be amended before he proceeds with the application ; and in the latter case the application shall, if the Controller so directs, bear date as from the time when the requirement is complied with :

Provided that, when a specification comprises more than one invention, the application shall, if the Controller or the applicant so requires, be restricted to one invention and the other inventions may be made the subject-matter of fresh applications ; and any such fresh application shall be proceeded with as a substantive application, but the Controller may, in his discretion, direct that any such fresh application made before the acceptance of the original application shall bear the date of the original application or such later date as he may fix, and the fresh application shall be deemed, for the purposes of this Act, to have been made on the date which it bears in accordance with such direction.

(2) If the Controller considers, at any time before the acceptance of an application, that the invention claimed therein has been wholly or in part claimed in a specification published on or after the date which the patent applied for would bear if granted, appertaining to an application for a patent which if granted will be of prior date to the patent applied for, he may require that the applicant's specification be amended by the insertion of a reference to such other specification by way of notice to the public.

(3) Where the Controller refuses to accept an application or requires an amendment, or the insertion of a reference the applicant may appeal from his decision to Our Government,

(4) The investigations required by this section shall not be held in any way to guarantee the validity of any patent and no liability shall be incurred by Our Government or any officer by reason of, or in connection with, any such investigation, or any proceeding consequent thereon.

(5) Unless an application is accepted within twelve months from the date of the application, the application shall (except where an appeal has been lodged) be deemed to have been refused ;

Provided that where, before, or within three months after, the expiration of the said period of twelve months, a request is made to the Controller for an extension of time, the application shall, on payment of the prescribed fee, be continued for any period so requested not exceeding in all three months from the expiration of the said period of twelve months.

Advertisement on acceptance of application.

6. On the acceptance of an application the Controller shall give notice thereof to the applicant and shall advertise the acceptance ; and the application and specification with the drawings (if any) shall be open to public inspection.

Use of invention on acceptance of application.

7. Where an application for a patent in respect of an invention has been accepted, any use or publication of the invention during the period between the date of application and the date of sealing such patent shall not prejudice the patent to be granted for the invention:

Provided that an applicant shall not be entitled to institute any proceedings for infringement unless and until a patent for the invention has been granted to him.

Opposition to grant of patent

8. (1) Any person may, on payment of the prescribed fee, at any time within four months from the date of the advertisement of the acceptance of an application, give notice at the Patent Office of opposition to the grant of the patent on any of the following grounds, namely :—

(a) that the applicant obtained the invention from him, or from a person of whom he is the legal representative or assign ; or

(b) that the invention has been claimed in any specification filed in Travancore which is or will be of prior date to the patent, the grant of which is opposed ; or

(c) that the nature of the invention or the manner in which it is to be performed is not sufficiently or fairly described and ascertained in the specification ; or

(d) that the invention has been publicly used in any part of Travancore or has been made publicly known in any part of Travancore; but on no other ground.

(2) Where such notice is given, the Controller shall give notice of the opposition to the applicant, and shall, on the expiration of those four months, after hearing the applicant and the opponent, if desirous of being heard, decide on the case.

(3) The decision of the Controller shall be subject to appeal to Our Government.

9. (1) If there is no opposition, or, in the case of opposition, if the determination is in favour of the grant of a patent, a patent, shall, on payment of the prescribed fee, be granted, subject to such conditions (if any) as Our Government think expedient to the applicant, or in the case of a joint application to the applicants jointly, and the Controller shall cause the patent to be sealed with the seal of the Patent Office.

Grant and sealing of patent.

(2) Notwithstanding anything contained in sub-section (1), where—

(a) an applicant has agreed in writing that on the grant to him of a patent he will assign it to another party or to a joint applicant and refuses to proceed with the application, or

(b) disputes arise between joint applicants as to proceeding with an application, the Controller, if he is satisfied of the existence of such agreement or, in any other case, that any joint applicant or applicants ought to be allowed to proceed alone, may direct that such other party or joint applicant or applicant's may proceed with the application accordingly and may grant a patent to him or them, as the case may be:

Provided that—

(i) where the Controller shall not give any such direction until every party interested has had an opportunity of being heard by him, and

(ii) an appeal from any such direction shall lie to Our Government.

(3) A patent shall be sealed as soon as may be, and not after the expiration of eighteen months from the date of application :

Provided that—

(a) where the Controller has allowed an extension of the time within which an application may be accepted, a further extension of four months after the said eighteen months shall be allowed for the sealing of the patent ;

(b) where the sealing is delayed by an appeal to Our Government or by opposition to the grant of the patent or by any proceedings taken for obtaining a direction of the Controller under the provisions of sub-section (2) the patent may be sealed at such time as the Controller may direct ;

(c) where the patent is granted to the legal representative of an applicant who has died before the expiration of the time which would otherwise be allowed for sealing the patent, the patent may be sealed at any time within tweve months after the date of his death.

(d) where for any reason a patent cannot be sealed within the period allowed by any of the foregoing provisions of this section, that period may, on payment of the prescribed fee and on compliance with the prescribed conditions, be extended to the extent applied for but not exceeding three months.

Date of patent.

10. Except as otherwise expressly provided by this Act, a patent shall be dated and sealed as of the date of the application :

Provided that no proceedings shall be taken in respect of an infringement committed before the advertisement of the acceptance of the application.

11. (1) A patent sealed with the seal of the Patent Office shall; subject to the other provisions of this Act, confer on the patentee the exclusive privilege of making, selling and using the invention throughout Travancore and of authorising others so to do.

Effect, extent and form of patent.

(2) Every patent may be in the prescribed form and shall be granted for one invention only, but the specification may contain more than one claim; and it shall not be competent for any person in a suit or other proceeding to take any objection to a patent on the ground that it has been granted for more than one invention.

12. (1) A patent granted to the true and first inventor or his legal representative or assign shall not be invalidated by an application in fraud of him, or by protection obtained thereon or by any use or publication of the invention subsequent to that fraudulent application during the period of protection.

Fraudulent applications for patents.

(2) Where a patent has been revoked by Our High Court on the ground that it has been obtained in fraud of the true and first inventor, or where the grant of a patent has been refused by the Controller under Section 8 on the ground stated in clause (*a*) of sub-section (1) of that section, the Controller may, on the application of the true inventor or his legal representative or assign made in accordance with the provisions of this Act, grant to him a patent for the whole or any part of the invention, and the patent so granted shall bear the same date as the patent so revoked or, in the case of a patent the grant of which has been refused, the same date as would have been borne by the patent if it had been granted:

Provided that no suit shall be brought for any infringement of the patent so granted committed before the actual date when such patent was granted.

Term of Patent.

13. (1) The term limited in every patent for the duration thereof shall, save as otherwise expressly provided by this Act, be sixteen years from its date.

Term of patent.

(2) Any patent the original term of which had not expired on or before the commencement of this Act, shall have effect as if the term mentioned therein was sixteen years instead of fourteen years, and any license existing at that date which has been granted for the term of the patent shall be treated as having been granted for the term as so extended if the licensee so desires.

(3) Where any party to a contract with the patentee or any other person entered into before the commencement of this Act, is subjected to loss or liability by reason of the extension of the term of

any patent under this section, any District Court having jurisdiction may, on application made in this behalf, determine in what manner and by which parties such loss or liability shall be borne.

(4) A patent shall, notwithstanding anything therein or in this Act, cease if the patentee fails to pay the prescribed fees within the prescribed times :

Provided that where the patentee, before, or within three months after, the expiration of the time for payment, applies to the Controller for an extension of time the patent shall, on payment of such additional fee as may be prescribed, be continued or revived as the case may be, for any period so applied for not exceeding in all three months from the expiration of the time for payment.

(5) If any proceeding is taken in respect of an infringement of the patent committed after a failure to pay any fee within the prescribed time, and before any enlargement thereof, the Court before which the proceeding is taken may, if it thinks fit, refuse to award any damages in respect of such infringement.

Extension of term of patent.

14. (1) A patentee may present a petition to Our Government praying that his patent may be extended for a further term ; but such petition must be left at the Patent Office at least six months before the time limited for the expiration of the patent and must be accompanied by the prescribed fee and must be advertised by the patentee within the prescribed time and in the prescribed manner.

(2) Any person may within such time as may be prescribed and on payment of the prescribed fee give notice to the Controller of objection to the extension.

(3) Where a petition is presented under sub-section (1), Our Government may, as they think fit, dispose of the petition themselves or refer it to Our High Court for decision.

(4) If the petition be referred to Our High Court, then on the hearing of such petition under this section, the patentee, and any person who has given notice under sub-section (2) of objection, shall be made parties to the proceeding, and the Controller shall be entitled to appear and be heard.

(5) Our Government or Our High Court to which a petition is referred shall in considering the petition have regard to the nature and merits of the invention in relation to the public, to the profits made on the patent and to all the circumstances of the case.

(6) If it appears to Our Government or to Our High Court when the petition is referred to it, that the patent has not been sufficiently remunerative, Our Government or Our High Court, as the case may be, may by order extend the term of the patent for a further term not exceeding five or in exceptional cases ten years or may order the grant of a new patent for such term not exceeding ten years as may be specified in the order and subject to any restriction, conditions and provisions which Our Government or Our High Court, as the case may be, may think fit.

15. (1) Where a patent for an invention has been applied for or granted, and the applicant or the patentee, as the case may be, applies for a further patent in respect of any improvement in or modification of the invention, he may in his application for the further patent request that the term limited in that patent for the duration thereof be the same as that of the original patent or so much of that term as is unexpired and, if he does so, a patent (hereinafter referred to as a patent of addition) may be granted for such term as aforesaid.

Patents of addition.

(2) Save as otherwise expressly provided by this Act, a patent of addition shall remain in force as long as the patent for the original invention remains in force, but no longer, and in respect of a patent of addition no fees shall be payable for renewal;

Provided that if the patent for the original invention is revoked, then the patent of addition shall, if the authority by which it is revoked so orders, become an independent patent, and the fees payable, and the dates when they become payable, shall be determined by its date, but its duration shall not exceed the unexpired term of the patent for the original invention.

(3) The grant of a patent of addition shall be conclusive evidence that the invention is a proper subject for a patent of addition, and the validity of the patent shall not be questioned on the ground that the invention ought to have been the subject of an independent patent.

16. (1) Where any patent has ceased owing to the failure of the patentee to pay any prescribed fee with the prescribed time, the patentee may apply to the Controller in the prescribed manner for an order for the restoration of the patent.

Restoration of lapsed patent.

(2) Every such application shall contain a statement of the circumstances which have led to the omission of the payment of the prescribed fee.

(3) If it appears from such statement that the omission was unintentional of unavoidable and that no undue delay has occurred in the making of the application, the Controller shall advertise the application in the prescribed manner, and within such time as may be prescribed any person may give notice of opposition at the Patent Office.

(4) Where such notice is given the Controller shall notify the applicant thereof.

(5) After the expiration of the prescribed period the Controller shall hear the case and, subject to an appeal to Our Government issue an order either restoring the patent subject to any conditions and restrictions deemed to be advisable or dismissing the application:

Provided that in every order under this section restoring a patent such provisions as may be prescribed shall be inserted for the protection of persons who may have availed themselves of the subject-matter of the patent after the patent had ceased.

Amendment of application or specification.

17. (1) An applicant or a patentee may at any time, by request in writing left at the Patent Office and accompanied by the prescribed fee, seek leave to amend his application or specification, including drawings forming part thereof, by way of disclaimer, correction or explanation, stating the nature of, and the reasons for, the proposed amendment.

Amendment of application or specification by Controller.

(2) If the application for a patent has not been accepted, the Controller shall determine whether and subject to what conditions (if any) the amendment shall be allowed.

(3) In any other case the request and the nature of the proposed amendment shall be advertised in the prescribed manner, and at any time within three months from its first advertisement any person may give notice at the Patent Office of opposition to the amendment.

(4) Where such a notice is given the Controller shall give notice of the opposition to the person making the request, and shall hear and decide the case.

(5) Where no notice of opposition is given, or the person so giving notice of opposition does not appear, the Controller shall determine whether and subject to what conditions, if any, the amendment ought to be allowed.

(6) The decision of the Controller in either case shall be subject to an appeal to Our Government.

(7) No amendment shall be allowed that would make the application or specification, as amended, claim an invention substantially larger than, or substantially different from, the invention claimed by the application or specification as it stood before amendment.

(8) Leave to amend shall be conclusive as to the right of the party to make the amendment allowed, except in case of fraud; and the amendment shall be advertised in the prescribed manner, and shall in all Courts and for all purposes be deemed to form part of the application or specification.

(9) This section shall not apply when and so long as any suit for infringement or proceeding before a Court for the revocation of the patent is pending.

18. In any suit for infringement of a patent or proceeding before a Court for the revocation of a patent the Court may by order allow the patentee to amend his specification by way of disclaimer, correction or explanation in such manner, and subject to such terms as to costs, advertisement or otherwise, as the Court may think fit;

Amendment of specification by the Court.

Provided that no amendment shall be so allowed that would make the specification, as amended, claim an invention substantially larger than, or substantially different from, the invention claimed by the specification as it stood before the amendment, and where an application for such an order is made to the Court, notice of the application shall be given to the Controller and the controller shall have the right to appear and be heard.

19. Where an amendment of a specification by way of disclaimer, correction or explanation has been allowed under this Act, no damages shall be given in any suit in respect of the use of the invention before the date of the decision allowing the amendment unless the patentee establishes to the satisfaction of the Court that his original claim was framed in good faith and with reasonable skill and knowledge.

Restriction on recovery of damages.

Register of Patents.

20. (1) There shall be kept at the Patent Office a book called the Register of Patents, wherein shall be entered the names and addresses of grantees of patents, notifications of assignments and of transmissions of patents, of licenses under patents, and of amendment, extensions, and revocations of patents, and such other matters affecting the validity or proprietorship of patents as may be prescribed.

Register of patents

(2) The register of inventions and address book existing at the commencement of this Act shall be incorporated with, and form part of, the register of patents under this Act.

(3) The register of patents shall be *prima facie* evidence of any matters by this Act directed or authorised to be inserted therein.

(4) Copies of deeds, licenses and any other documents affecting the proprietorship in any patent or in any license thereunder, must be supplied to the Controller in the prescribed manner for filing in the Patent Office.

Government.

21. (1) Subject to the other provisions of this section, a patent shall have to all intents the like effect as against Our Government as it has against a subject.

Patent to bind Government.

(2) The officers or authorities administering any department of the service of Our Government may, by themselves or by such of their agents, contractors or others as may be authorised in writing by them, at any time after the application, and after giving notice to the applicant or patentee, make, use or exercise the invention for the service of Our Government on such terms as may, either before or after the use thereof, be agreed on, with the approval of Our Government, between such officers or authorities and the applicant and patentee, or, in default of agreement, as may be settled in the manner hereinafter provided. And the terms of any agreement or license concluded between the applicant or patentee and any person other than such officers or authorities, shall be inoperative so far as concerns the making, use or exercise of the invention for the service of Our Government.

(3) Where an invention which is the subject of any patent has, before the date of the patent, been duly recorded in a document by, or tried by or on behalf of, the officers or authorities administering any department of the service of Our Government (such invention not

having been communicated directly or indirectly by the applicant or patentee), such officers or authorities, or such of their agents, contractors, or others as may be authorised in writing by them, may, after giving notice to the applicant or patentee, make, use or exercise the invention so recorded or tried for the service of Our Government, free of any royalty or other payment to the applicant or patentee, notwithstanding the existence of the patent. If, in the opinion of such officers or authorities, the disclosure to the applicant or patentee, as the case may be, of the document recording the invention, or the evidence of the trial thereof, if required, would be detrimental to the public interest, it may be made confidentially to counsel on behalf of the applicant or patentee or to any independent expert mutually agreed upon.

(4) In the event of any dispute as to the making, use or exercise of an invention under this section, or the terms therefore, or as to the existence or scope of any record or trial as aforesaid, the matter shall be referred to Our High Court for decision, who shall have power to refer the whole matter or any question or issue of fact arising thereon to be tried before a special or official referce or an arbitrator upon such terms as it may direct. The Court, referee or arbitrator, as the case may be, may, with the consent of the parties, take into consideration the validity of the patent for the purposes only of the reference and for the determination of the issues between the applicant or patentee and such officers or authorities. The Court, referee, or arbitrator, further, in setting the terms as aforesaid, shall be entitled to take into consideration any benefit or compensation which the applicant or patentee, or any other person interested in the patent, may have received directly or indirectly from Our Government or from such officers or authorities in respect of such patent:

Provided that, if the inventor or patentee is a Government servant and the subject matter of the invention is certified by Our Government to be connected with work done in the course of such service, any such dispute shall be settled by Our Government after hearing the applicant or patentee and any other person having an interest in the invention or patent.

(5) The right to use an invention for the services of Our Government under the provisions of this section, or any provisions for which this section is substituted, shall include, and shall be deemed always to have included, the power to sell any articles made in pursuance of such right which are no longer required for the services of Our Government.

(6) Nothing in this section shall affect the right of Our Government or of any person deriving title directly or indirectly from Our Government sell or use any articles forfeited under any law for the time being in force.

Assignment of patent to Government.

22. (1) The inventor of any improvement in instruments or munitions of war may (either for or without valuable consideration) assign to Our Government all the benefit of the invention and of any patent obtained or to be obtained for the invention.

(2) The assignment shall effectually vest the benefit of the invention and patent in Our Government and all covenants and agreements therein contained for keeping the invention secret and otherwise shall be valid and effectual (notwithstanding any want of valuable consideration), and may be enforced accordingly by or on behalf of Our Government.

(3) Where any such assignment has been made, Our Government may, at any time before the publication of the specification, certify to the Controller that, in the interest of the public service, the particulars of the invention and of the manner in which it is to be performed should be kept secret.

(4) If Our Government so certify, the application and specifications, with the drawings (if any) and any amendment of the specification and any copies of such documents and drawings, shall, instead of being left in the ordinary manner at the Patent Office, be delivered to the Controller in a packet sealed by the authority of Our Government.

(5) The packet shall, until the expiration of the term during which a patent for the invention may be in force, be kept sealed by the Controller, and shall not be opened save under the authority of an order of Our Government.

(6) The sealed packet shall be delivered at any time during the continuance of the patent to any person authorised by Our Government to receive it, and shall, if returned to the Controller, be again kept sealed by him.

(7) On the expiration of the term of the patent, the sealed packet shall be delivered to Our Government.

(8) Where Our Government certify as aforesaid after an application for a patent has been left at the Patent Office but before the publication of the specification, the application and specifications, with the drawings (if any), shall be forthwith placed in a packet sealed by authority of the Controller, and the packet shall be subject to the foregoing provisions respecting a packet sealed by authority of Our Government.

(9) No proceeding by petition or otherwise shall lie for revocation of a patent granted for an invention in relation to which a certificate has been given by Our Government, as aforesaid.

(10) No copy of any specification or other document or drawing, by this section required to be placed in a sealed packet, shall in any manner whatever be published or open to the inspection of the public, but save as otherwise provided in this section the provisions of this Act shall apply in respect of any such invention and patent as aforesaid.

(11) Our Government may at any time waive the benefit of this section with respect to any particular invention, and the specifications, documents and drawings shall be thenceforth kept and dealt with in the ordinary way.

(12) The communication of any invention for any improvement in instruments or munitions of war to Our Government or to any person or persons authorised by Our Government to investigate the same or the merits thereof, shall not, nor shall anything done for the purposes of the investigation, be deemed use or publication of such invention so as to prejudice the grant or validity of any patent for the same.

Compulsory Licenses and Revocation.

Compulsory licenses and revocation.

23. (1) Any person interested may present a petition to Our Government which shall be left at the Patent Office, together with the prescribed fee, alleging that the demand for a patented article in Travancore is not being met to an adequate extent and on reasonable terms and praying for the grant of a compulsory license, or, in the alternative, for the revocation of the patent.

(2) Our Government shall consider the petition, and if the parties do not come to an arrangement between themselves Our Government may, as it thinks fit either dispose of the petition itself or refer it to Our High Court for decision.

(3) The provisions of sub-section (4) of Section 14, prescribing the procedure to be followed in the case of references to the Court under that section shall apply in the case of references made to the Court under this section.

(4) If Our Government are of opinion, or, where a reference has been made under sub-section (2) to Our High Court, that Court finds that the demand for the patented article in Travancore is not being met to an adequate extent and on reasonable terms, the patentee may be ordered to grant licenses on such terms as Our Government or Our High Court, as the case may be, may think just, or, if Our Government or Our High Court are of opinion that the demand will not be adequately met by the grant of licenses, the patent may be revoked by order of Our Government or Our High Court:

Provided that an order of revocation shall not be made before the expiration of four years from the date of the patent, or if the patentee gives satisfactory reasons for his default.

(5) For the purposes of this section the demand for a patented article shall not be deemed to have been met to an adequate extent and on reasonable terms—

(*a*) if by reason of the default of the patentee to manufacture to an adequate extent and supply on reasonable terms the patented article or any parts thereof which are necessary for its efficient working, or to carry on the patented process to an adequate extent or to grant licenses on reasonable terms, any existing trade or industry or the establishment of any new trade or industry in Travancore is unfairly prejudiced or,

(*b*) if any trade or industry in Travancore is unfairly prejudiced by the conditions attached by the patentee to the purchase, hire or use of the patented article or to the using or working of the patented process.

Revocation of patents worked outside Travancore.

24. (1) At any time not less than four years after the date of a patent granted under this Act, any person may apply to Our Government for relief under this section on the ground that the patented article or process is manufactured or carried on exclusively or mainly outside Travancore.

(2) Our Government shall consider the application, and, if after inquiry it is satisfied—

(a) that the allegations contained therein are correct; and

(b) that the applicant is prepared, and is in a position, to manufacture or carry on the patented article or process in Travancore; and

(c) that the patentee refuses to grant a license on reasonable terms, then, subject to the provisions of this section, and unless the patentee proves that the patented article or process is manufactured or carried on to an adequate extent in Travancore, or gives satisfactory reasons why the article or process is not so manufactured or carried on, Our Government may make an order—

(a) revoking the patent either—

(i) forthwith; or

(ii) after such reasonable interval as may be specified in the order, unless in the meantime it is shown to its satisfaction that the patented article or process is manufactured or carried on within Travancore to an adequate extent; or

(b) ordering the patentee to grant a license to the applicant which may be a license exclusive to him or otherwise as Our Government may direct.

(3) No order revoking a patent shall be made under the last sub-section which is at variance with any treaty, convention arrangement or engagement with the Paramount Power.

(4) Our Government may, on the application of the patentee, extend the time limited in any order made under sub-section (2), clause (ii) for such period not exceeding two years as they may specify in a subsequent order, or revoke any order made under sub-section (2), clause (ii), or any subsequent order if sufficient cause is in their opinion shown by the patentee.

Operation of order under Section 23 or Section 24.

25. An order of Our High Court under section 23 or of Our Government under section 23 or section 24, directing the grant of any license shall, without prejudice to any other method of enforcement operate as if it were embodied in a deed granting a license and executed by the patentee and all other necessary parties.

Power of controller to revoke surrendered patent.

26. A patentee may at any time, by giving notice in the prescribed manner to the Controller, offer to surrender his patent and the controller may, if after giving notice of the offer and hearing all parties who desire to be heard he thinks fit, accept the offer and thereupon make an order for the revocation of the patent.

Revocation of patent on public grounds.

27. A patent shall be deemed to be revoked if Our Government declare, by notification in Our Government Gazette, the patent or the mode in which it is exercised to be mischievous to the State or generally prejudicial to the public.

Legal Proceedings.

28. (1) Revocation of a patent in whole or in part may be obtained on petition to Our High Court or on a counter-claim in a suit for infringement transferred to Our High Court under the proviso to Sub-section (1) of Section 31 on all or any of the following grounds, namely:—

Petition for revocation of patent.

(*a*) that the invention has been the subject of a valid prior grant of a patent in Travancore;

(*b*) that the true and first inventor or his legal representative or assign was not the applicant or one of the applicants for the patent;

(*c*) that the patent was obtained in fraud of the rights of the person applying for the revocation or of any person under or through whom he claims;

(*d*) that the invention was not, at the date of the patent, a manner of new manufacture or improvement;

(*e*) that the invention does not involve any inventive step, having regard to what was knows or used prior to the date of the patent;

(*f*) that the invention is of no utility;

(*g*) that the specification does not sufficiently and fairly describe and ascertain the nature of the invention and the manner in which the invention is to be performed;

(*h*) that the specification does not sufficiently and clearly ascertain the scope of the invention claimed:

(*i*) that the patent was obtained on a false suggestion or representation;

(*j*) that the primary or intended use or exercise of the invention is contrary to law;

(*k*) that the patentee has contravenced, or has not complied with, the conditions contained in the patent;

(*l*) that the specification does not disclose the best method of performance of the invention known to the applicant for the patent at the time when the specification was left at the Patent Office;

(*m*) that prior to the date of the patent, the patentee or other persons (not being authorities administering any department of the service of Our Government, or the agents or contractors of, or any other persons authorised in that behalf by, Our Goverument) secretly worked the invention on a commercial scale (and not merely by way of reasonable trial or experiment) in Travancore, and thereby made direct or indirect profits in excess of such amount as the Court may in consideration of all the circumstances of the case deem reasonable:

Provided that this sub-section shall have effect in relation to the ground of revocation specified—

(i) in clause (*b*), subject to the provisions of Section 87, or

(ii) in clause (*d*), subject to the provisions of sub-section (1) of Section 12, sub-section (2) of Section 21, Section 40 and Section 42.

(2) A petition for revocation of a patent may be presented—

(*a*) by the Advocate-General or any person authorised by him; or

(b) by any person alleging—

(i) that the patent was obtained in fraud of his rights or of the rights of any person under or through whom he claims ; or

(ii) that he, or any person under or through whom he claims, was the true and first inventor of any invention included in the claim of the patentee ; or

(iii) that he, or any person under or through whom he claims an interest in any trade, business or manufacture, had publicly manufactured, used or sold, within Travancore, before the date of the patent, anything claimed by the patentee as his invention.

(3) Our High Court may, irrespective of any provisions of the Code of Civil Procedure, in this behalf, require any person, other than the Advocate-General or any person authorised by him, applying for the revocation of a patent to give security for the payment of all costs incurred or likely to be incurred by any person appearing to oppose the petition.

Notice of Proceedings to persons interested.

29. (1) Notice of any petition for revocation of a patent under Section 28 shall be served on all persons appearing from the register to be proprietors of that patent or to have shares or interests therein, and it shall not be necessary to serve the notice on any other person.

(2) The notice shall be deemed to be sufficiently served if a copy thereof is sent by post or Anchal in a registered letter directed to the person and place for the time being stated in the register.

Framing issue for trial before other Court.

30. (1) Our High Court may, if it thimks fit, direct and issue for the trial before itself or any District Court, of any question arising upon a petition to itself under Section 28, and the issue shall be tried accordingly.

(2) If the issue is directed to a District Court, the finding of that Court shall not be subject to appeal, but the evidence taken upon the trial shall be recorded and a copy thereof certified by the Judge of the Court, shall be transmitted, together with any remarks which he may think fit to make thereon, to Our High Court, and the High Court may thereupon act upon the finding of the District Court, or dispose of the petition upon the evidence recorded, or direct a new trial, as the justice of the case may require.

Suits for infringement of patents.

31. (1) A patentee may institute a suit in a District Court having jurisdiction to try the suit against any person who, during the continuance of a patent acquired by him under this Act in respect of an invention, makes, sells or uses the invention without his license, or counterfeits it or imitates it :

Provided that where a counter claim for revocation of the patent is made by the defendant, the suit, along with the counter-claim, shall be transferred to Our High Court for decision.

(2) Every ground on which a patent may be revoked under Section 28 shall be available by way of defence to a suit for infringement.

32. A patentee shall not be entitled to recover any damages in respect of any infringement of a patent granted after the commencement of this Act from any defendant who proves that at the date of the infringement he was not aware, nor had reasonable means of making himself aware of the existence of the patent, and the marking of an article with the word "patent", "patented" or any word or words expressing or implying that a patent has been obtained for the article stamped, engraved, impressed on, or otherwise applied to the article, shall not be deemed to constitute notice of the existence of the patent unless the word or words are accompanied by the year and number of the patent :

Exemption of innocent infringer from liability for damages.

Provided that nothing in this section shall affect any proceedings for an injunction.

33. In a suit for infringement of a patent, the Court may, on the application of either party, make such order for an injuction, inspection or account, and impose such terms and give such directions respecting the same and the proceedings thereon, as the Court may see fit.

Order for inspection, etc., in suit.

34. In a suit for infringement of a patent, the Court may certify that the validity of the patent came in question, and if the Court so certifies, then in any subsequent suit in that Court for infringement of the same patent the plaintiff, on obtaining a final order or judgment in his favour, shall, unless the Court trying the suit otherwise directs, have his full costs, charges and expenses of and incidental to the said suit properly incurred.

Certificate of validity questioned and costs thereon.

35. A Court making a decree in a suit under Section 31 or an order on a petition under Section 28 shall send a copy of the decree or order, as the case may be, to the Controller, who shall cause an entry thereof and reference thereto to be made in the register of patents.

Transmission of decrees and orders to the Controller.

36. (1) In a suit or proceeding for infringement or revocation of a patent, the Court may, if it thinks fit, and shall on the request of all the parties to the proceedings, call in the aid of an assessor specially qualified, and try the case wholly or partially with his assistance.

Hearing with assessor.

(2) A Court exercising appellate jurisdiction in respect of such suit or proceeding may, if it thinks fit, call in the aid of an assessor as aforesaid.

(3) The remuneration, if any, to be paid to an assessor under this section shall in every case be determined by the Court and be paid by it as part of the expenses of the execution of this Act.

37. Notwithstanding anything contained in Section 19, if the Court in any action for infringement of a patent finds that any one or more of the claims in the specification in respect of which the infringement is alleged are valid, it may, subject to its discretion as to costs and as to the date from which damages should be

Grant of relief in respect of particular claims.

reckoned and to such terms as to amendment as it may deem desirable, grant relief in respect of any of such claims which are infringed without regard to the invalidity of any other claim in the specification. In exercising such discretion the Court may take into consideration the conduct of the parties in inserting such invalid claims in the specification or permitting them to remain there.

Remedy in case of groundless threats of legal proceedings:

38. Where any person claiming to have an interest in a patent by circulars, advertisements or otherwise, threatens any other person with any legal proceedings or liability in respect of any alleged infringement of the patent, any person aggrieved thereby may bring a suit against him in a District Court having jurisdiction to try the suit, and may obtain an injunction against the continuance of such threats, and may recover such damage (if any) as he has sustained thereby, if the alleged infringement to which the threats related was not in fact an infringement of the patent:

Provided that this section shall not apply if an action for infringement of the patent is commenced and prosecuted with due diligence.

Miscellaneous.

Grant of patents to two or more persons.

39. Where, after the commencement of this Act, a patent is granted to two or more persons jointly, they shall, unless otherwise specified in the patent, be treated for the purpose of the devolution of the legal interest therein as joint tenants, but subject to any contract to the contrary, each of such persons shall be entitled to use the invention for his own profit without accounting to the others, but shall not be entitled to grant a license without their consent and, if any such person dies, his beneficial interest in the patent shall devolve on his legal representatives.

Public use or knowledge of inventions.

40. The public use or knowledge of an invention in Travancore before the date of the application for a patent thereon shall not invalidate the patent granted thereon if the knowledge has been obtained surreptitiously or in fraud of the true and first inventor or his legal representative or assign or has been communicated to the public in fraud of such inventor or his legal representative or assign or in breach of confidence:

Provided that such inventor or his legal representative or assign has not acquiesced in the public use of his invention and that he applies for a patent within six months after the commencement of such use.

Loss or destruction of patent.

41. If a patent is lost or destroyed, or its non-production is accounted for to the satisfaction of the Controller, the Contoller may at any time, on payment of the prescribed fee, seal a duplicate thereof.

Provisions as to exhibitions and readings before learned societies.

42. The exhibition of an invention at an industrial or other exhibition to which the provisions of this section have been extended by Our Government by notification in Our Government Gazette, or the publication of any description of the invention during the period of the holding of the exhibition, or the use of the in-

vention for the purpose of the exhibition in the place where the exhibition is held, or the use of the invention or the publication of any description thereof, during or after the period of the holding of the exhibition, by any person elsewhere without the privity or consent of the inventor or the reading of a paper by an inventor before a learned society, or the publication of that paper in the society's transactions shall not prejudice the right of the inventor to apply for and obtain a patent in respect of the invention, or the validity or any patent granted on the application:

Provided that—

(*a*) the exhibitor exhibiting the invention or the inventor reading the paper or authorising the publication thereof, as the case may be, gives to the Controller previous notice in the prescribed form; and

(*b*) the application for a patent is made before or within six months from the date of first exhibiting the invention or of the reading of the paper, as the case may be, or when it has not been so read, of the said publication.

Models to be furnished to Trivandrum Museum.

43. The Director of the Trivandrum Museum may at any time require a patentee to furnish him with a model or sample of his invention on payment to the patentee of the cost of the manufacture of the model or sample, the amount to be settled, in case of dispute, by Our Government.

Foreign vessels in Travancore waters.

44. (1) A patent shall not prevent the use of an invention for the purposes of the navigation of a foreign vessel within the jurisdiction of any Court in Travancore, or the use of an invention in a foreign vessel within that jurisdiction, provided it is not used therein for or in connection with the manufacture or preparation of anything intended to be sold in or exported from Travancore.

(2) This section shall not extend to vessels of any foreign State of which the laws do not confer corresponding rights with respect to the use of inventions in Travancore vessels while in the ports of that State, or in the waters within the jurisdiction of its Courts.

PART II.

Designs.

Registration of Designs.

Application for registration of designs.

45. (1) The Controller may, on the application of any person claiming to be the proprietor of any new or original design not previously, published in Travancore register the design under this Part.

(2) The application must be made in the prescribed form and must be left at the Patent Office in the prescribed manner and must be accompanied by the prescribed fee.

(3) The same design may be registered in more than one class and, in case of doubt as to the class in which a design ought to be registered, the Controller may decide the question.

(4) The controller may, if he thinks fit, refuse to register any design presented to him for registration; but any person aggrieved by any such refusal may appeal to Our Government.

(5) An application which, owing to any default or neglect on the part of the applicant, has not been completed so as to enable registration to be effected within the prescribed time shall be deemed to be abandoned.

(6) A design when registered shall be registered as of the date of the application for registration.

Registration of designs in new classes.

46. Where a design has been registered in one or more classes of goods, the application of the proprietor of the design to register it in some one or more other classes shall not be refused, nor shall the registration thereof be invalidated—

(*a*) on the ground of the design not being a new or original design, by reason only that it was so previously registered , or

(*b*) on the ground of the design having been previously published in Travancore, by reason only that it has been applied to goods of any class in which it was so previously registered:

Provided that such subsequent registration shall not extend the period of copyright in the design beyond that arising from previous registration.

Certificate of Registration.

47. (1) The Controller shall grant a certificate of registration to the proprietor of the design when registered.

(2) The Controller may, in case of loss of the original certificate or in any other case in which he deems it expedient, furnish one or more copies of the certificate.

Register of Designs.

48. (1) There shall be kept at the Patent Office a book called the Register of Designs, wherein shall be entered the names and addresses of proprietors of registered designs, notifications of assignments and of transmissions of registered designs, and such other matters as may be prescribed.

(2) The register of designs existing at the commencement of this Act shall be incorporated with and form part of the register of designs under this Act.

(3) The register of designs shall be *prima facie* evidence of any matters by this Act directed or authorised to be entered therein.

Copyright in Registered Designs.

Copyright on registration.

49. (1) When a design is registered, the registered proprietor of the design shall, subject to the provisions of this Act, have copyright in the design during five years from the date of registration.

(2) If before the expiration of the said five years application for the extention of the period of copyright is made to the Controller in the prescribed manner, the Controller shall, on payment of the prescribed fee, extend the period of copyright for a second period of five years from the expiration of the original period of five years.

(3) If before the expiration of such second period of five years application for the extension of the period of copyright is made to the Controller in the prescribed manner, the Controller may, subject to any rules under this Act, on payment of the prescribed fee, extend the period of copyright for a third period of five years from the expiration of the second period of five years.

Requirements before delivery on sale.

50. (1) Before delivery on sale of any articles to which a registered design has been applied, the proprietor shall—

(*a*) (if exact representations or specimens were not furnished on the application for registration), furnish to the Controller the prescribed number of exact representations or specimens of the design; and, if he fails to do so, the Controller may erase his name from the register and thereupon the copyright in the design shall cease; and

(*b*) cause each such article to be marked with the prescribed mark, or with the prescribed words or figures, denoting that the design is registered; and, if he fails to do so, the proprietor shall not be entitled to recover any penalty or damages in respect of any infringement of his copyright in the design unless he shows that he took all proper steps to ensure the marking of the article, or unless he shows that the infringement took place after the person guilty thereof knew or had received notice of the existence of the copyright in the design.

(2) Where a representation is made to Our Government by or on behalf of any trade or industry that in the interests of the trade or industry it is expedient to dispense with or modify as regards any class or description of article any of the requirements of this section as to marking, Our Government may, if they think fit, by rule under this Act dispense with or modify such requirements as regards any such class or description of articles to such extent and subject to such conditions as they think fit.

Effect of disclosure on copyright.

51. The disclosure of a design by the proprietor to any other person in such circumstances as would make it contrary to good faith for that other person to use or publish the design, and the disclosure of a design in breach of good faith by any person other than the proprietor of the design, and the acceptance of a first and confidential order for goods bearing a new or original textile design intended for registration, shall not be deemed to be a publication of the design sufficient to invalidate the copyright thereof if registration thereof is obtained subsequently to the disclosure or acceptance.

52. (1) During the existence of copyright in a design, or such shorter period not being less than two years from the registration of the design as may be prescribed, the design shall not be open to inspection except by the proprietor or a person authorised in writing by him, or a person authorised by the Controller or by the Court, and furnishing such information as may enable the Controller to identify the design and shall not be open to the inspection of any person except in the presence of the Controller, or of an officer acting under him, and on payment of the prescribed fee; and the person making the inspection shall not be entitled to take any copy of the design, or of any part thereof:

Inspection of registered designs.

Provided that, where registration of a design is refused on the ground of identity with a design already registered, the applicant for registration shall be entitled to inspect the design so registered.

(2) After the expiration of the copyright in a design, or such shorter period as aforesaid, the design shall be open to inspection, and copies thereof may be taken by any person on payment of the prescribed fee.

(3) Different periods may be prescribed under this section for different classes of goods.

53. On the request of any person furnishing such information as may enable the Controller to identify the design, and on payment of the prescribed fee, the Controller shall inform such person whether the registration still exists in respect of the design and, if so, in respect of what classes of goods, and shall state the date of registration, and the name and address of the registered proprietor.

Information as to existence of copyright.

Cancellation of registration.

54. (1) Any person interested may present a petition for the cancellation of the registration of a design.

(*a*) at any time after the registration of the design, to Our High Court on any of the following grounds, namely:—
  (i) that the design has been previously registered in Travancore; or
  (ii) that it has been published in Travancore prior to the date of registration; or
  (iii) that the design is not a new or original design; or
(*b*) within one year from the date of the registration, to the Controller on either of the grounds specified in sub-clauses (i) and (ii) of clause (*a*).

(2) An appeal shall lie from any order of the Controller under this section to Our High Court, and the Controller may at any time refer any such petition to Our High Court, and the High Court shall decide any petition so referred.

Registration of designs to bind Government.

55. The provisions of Section 21 shall apply to registered designs as if those provisions were re-enacted herein and in terms made applicable to registered designs,

Industrial and International Exhibitions.

56. The exhibition of a design, or of any article to which a design is applied, at an industrial or other exhibition to which the provisions of this section have been extended by Our Government by notification in Our Government Gazette, or the publication of a description of the design, during the period of the holding of the exhibition, or the exhibition of the design or the article or the publication of a description of the design by any person elsewhere during or after the period of the holding of the exhibition, without the privity or consent of the proprietor shall not prevent the design from being registered or invalidate the registration thereof:

Provisions as to exhibitons.

Provided that—

(*a*) the exhibitor exhibiting the design or article, or publishing a description of the design, gives to the Controller previous notice in the prescribed form; and

(*b*) the application for registration is made within six months from the date of first exhibiting the design or article or publishing a description of the design.

Legal Proceedings.

57. (1) During the existence of copyright in any design it shall not be lawful for any person:—

Piracy of registered signs.

(*a*) for the purpose of sale to apply or cause to be applied to any article in any class of goods in which the design is registered the design or any fraudulent or obvious imitation thereof, except with the license or written consent of the registered proprietor, or to do anything with a view to enable the design to be so applied; or

(*b*) to import for the purposes of sale, without the consent of the registered proprietor, any article belonging to the class in which the design has been registered, and having applied to it the design or any fraudulent or obvious imitation thereof; or

(*c*) knowing that the design or any fraudulent or obvious imitation thereof has been applied to any article in any class of goods in which the design is registered without the consent of the registered proprietor, to publish or expose or cause to be published or exposed for sale that article.

(2) If any person acts in contravention of this section, he shall be liable for every contravention:—

(*a*) to pay to the registered proprietor of the design a sum not exceeding five hundred rupees recoverable as a contract debt, or

(*b*) if the proprietor elects to bring a suit for the recovery of damages for any such contravention, and for an injunction against the repetition thereof, to pay such damages as may be awarded and to be restrained by injunction accordingly:

Provided that the total sum recoverable in respect of any one design under clause (*a*) shall not exceed one thousand rupees.

(3) When the Court makes a decree in a suit under sub-section (2), it shall send a copy of the decree to the Controller, who shall cause an entry thereof to be made in the register of designs.

Application of certain provisions of the Act as to patents to designs.

58. The provisions of this Act with regard to certificates of the validity of a patent, and to the remedy in case of groundless threats of legal proceedings by a patentee shall apply in the case of registered designs in like manner as they apply in the case of patents, with the subsitution of references to the copyright in a design for references to a patent, and of reference to the proprietor of a design for references to the patentee, and of references to the design for references to the invention.

PART III.

GENERAL.

Patent Office and Proceedings thereat.

Patent Office.

59. (1) Our Government may provide for the purpose of this Act an office which shall be called, and is in this Act referred to as, the Patent Office.

(2) The Patent Office shall be under the immediate control of the Controller of Patents and Designs, who shall act under the superintendence and direction of Our Government.

(3) There shall be a seal for the Patent Office.

(4) Any act or thing directed to be done by or to the Controller may be done by or to any officer authorised by Our Government.

Officers and clerks.

60. Our Government may appoint the Controller, and so many officers and clerks, with such designations and duties, as Government think fit.

Fees.

Fees.

61. (1) There shall be paid in respect of the grant of patents and the registration of designs, and applications therefor, and in respect of other matters with relation to the patents and designs under this Act, such fees as may be prescribed by Our Government, so however that the fees prescribed in respect of the instruments and matters mentioned in the schedule shall not exceed those there specified.

(2) A proceeding in respect of which a fee is payable under this Act or the rules made thereunder shall be of no effect unless the fee has been paid.

Provisions as to Registers and other documents in the Patent Office.

62. There shall not be entered in any register kept under this Act, or be receivable by the Controller, any notice of any trust, expressed, implied, or constructive.

Notice of trust not to be entered in registers.

63. Every register kept under this Act shall at all convenient times be open to the inspection of the public, subject to the provisions of this Act and certified copies, sealed with the seal of the Patent Office, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

Inspection of and extracts from registers.

64. A person making a request to the Controller in the prescribed manner as respects any patent specified in the request or as respects any application for a patent so specified, for information to be furnished to him by the Controller of any such matters as may be prescribed affecting that patent or application, shall be entitled subject to the payment of the prescribed fee, to have information supplied to him accordingly.

Information relating to patents.

65. Reports of or to the Controller made under this Act shall not in any case be published or be open to public inspection.

Privilege of reports of Controller.

66. (1) Where an application for a patent has been abandoned or has become void, the specifications and drawings (if any), accompanying or left in connection with such application, shall not, save as otherwise expressly provided by this Act, at any time be open to public inspection or be published by the Controller.

Prohibition of publication of specification, drawings, etc., where application abandoned, etc.

(2) Where an application for a design has been abandoned or refused, the application and any drawings, photographs, tracings, representations or specimens left in connection with the application shall not at any time be open to public inspection or be published by the Controller.

67. The Controller may, on request in writting accompanied by the prescribed fee,—

Power of Controller to correct clerical errors.

(*a*) correct any clerical error in or in connection with an application for a patent or in any patent or any specification;

(*b*) correct any clerical error in the representation of a design or in the name or address of the proprietor of any patent or design, or in any other matter which is entered upon the register of patents or the register of designs.

68. (1) Where a person becomes entitled by assignment, transmission or other operation of law to a patent or to the copyright in a registered design, he may make application to the Controller to register his title, and the Controller shall, on receipt of such application and on proof of title to his satisfaction, register him as the proprietor of such patent or design, and shall cause an entry to be made in the prescribed manner in the register of the assignment, transmission or other instrument affecting the title.

Entry of assignments and transmissions in registers.

(2) Where any person becomes entitled as mortgagee licensee or otherwise to any interest in a patent or registered design, he may make application to the Controller to register his title, and the Controller shall, on receipt of such application and on proof of title to his satisfaction, cause notice of the interest to be entered in the prescribed manner in the register of patents or designs, as the case may be, with particulars of the instrument, if any, creating such interest.

(3) The person registered as the proprietor of a patent or design shall, subject to the provisions of this Act and to any rights appearing from the register to be vested in any other person, have power absolutely to assign, grant licenses as to, or otherwise deal with, the patent or design and to give effectual receipts for any consideration for any such assignment, license or dealing:

Provided that any enquiries in respect of the patent or design may be enforced in like manner as in respect of any other movable property.

(4) Except in the case of an application made under Section 69, a document or instrument in respect of which no entry has been made in the register in accordance with the provisions of sub-sections (1) and (2) shall not be admitted in evidence in any Court in proof of the title to a patent or to copyright in a design or to any interest therein unless the Court, for reasons to be recorded in writing, otherwise directs.

69. (1) The Controller may, on the application in the prescribed manner of any person aggrieved by the non-insertion in or omission from the register of patents or designs of any entry, or by any entry made in either such register without sufficient cause or by any entry wrongly remaining on either such register, or by an error or defect in any entry in either such register, make such order for making, expunging or varying such entry as he thinks fit and rectify the register accordingly.

Rectification of register.

(2) The Controller may in any proceeding under this section decide any question that it may be necessary or expedient to decide in connection with the rectification of a register.

(3) An appeal shall lie to Our High Court from any order of the Controller under this section; and the Controller may refer any application under this section to Our High Court for decision, and the High Court shall dispose of any application so referred.

(4) Any order of the Court rectifying a register shall direct that notice of the rectification be served on the Controller in the prescribed manner, who shall upon the receipt of such notice rectify the register accordingly.

(5) Nothing in this section shall be deemed to empower the Controller —

(a) to rectify the register of patent, or to decide any question relating to a patent, otherwise than for the purpose of correcting a mistake of fact apparent from a reference either to the patent itself or to some order of a competent authority made under any other provision of this Act, or

(b) to make any such order cancelling the registration of a design as is provided for in Section 54.

Powers and duties of Controller.

Powers of Controller in proceedings under Act.

70. Subject to any rules in this behalf, the Controller in any proceedings before him under this Act shall have the powers of a Civil Court for the purpose of receiving evidence, administering oaths, enforcing the attendance of witnesses, compelling the discovery and production of documents, issuing commissions for the examining of witnesses and awarding costs, and such award shall be executable in any Court having jurisdiction as if it were a decree of that Court.

Publication of patented inventions.

71. The Controller shall issue periodically a publication of patented inventions containing such information as Our Government may direct.

Exercise of discretionary power by Controller.

72. Where any discretionary power is by or under this Act given to the Controller, he shall not exercise that power adversely to the applicant for a patent, or for amendment of an application or of a specification, or for registration of a design, without (if so required within the prescribed time by the applicant) giving the applicant an opportunity of being heard.

Power of Controller to take directions of Government.

73. The Controller may, in any case of doubt or difficulty arising in the administration of any of the provisions of this Act apply to Our Government for directions in the matter.

Refusal to grant patent, etc., in certain cases.

74. The Controller may refuse to grant a patent for an invention or to register a design, of which the use would, in his opinion, be contrary to law or morality.

(2) An appeal shall lie to Our Government from an order of the Controller under this section.

75. (1) Where an appeal is declared by this Act to lie from the Controller to Our Government, the appeal shall be made within three months of the date of the order passed by the Controller, and shall be in writing, and accompanied by the prescribed fee.

Appeals to the Government.

(2) In calculating the said period of three months the time (if any) occupied in granting a copy of the order appealed against shall be excluded.

(3) Our Government may, if they think fit, obtain the assistance of an expert in deciding such appeals, and the decision of Our Government shall be final.

Evidence, etc.

76. Subject to any rules made under Section 85, in any proceeding under this Act before the Controller, the evidence shall by affidavit, in the absence of directions by the Controller to the contrary; but in any case in which the Controller thinks it right so to do he may take evidence *viva voce* in lieu of or in addition to evidence by affidavit or may, allow any party to be cross-examined on the contents of his affidavit.

Evidence before the Controller.

77. A certificate purporting to be under the hand of the Controller as to any entry, matter or thing which he is authorized by this Act, or any rules made thereunder, to make or do, shall be *prima facie* evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or left undone.

Certificate of Controller to be evidence.

78. Printed or written copies or extracts, purporting to be certified by the Controller and sealed with the seal of the Patent Office, of or from patents, specifications and other documents in the Patent Office, and of or from registers and other books kept there, shall be admitted in evidence in all Courts in Travancore, and in all proceedings, without further proof or production of the originals:

Evidence of documents in Patent Office.

Provided that a Court may, if it has reason to doubt the accuracy or authenticity of the copies tendered in evidence, require the production of the originals or such further proof as it considers necessary.

79. Copies of all such specifications, drawings and amendments left at the Patent Office, as become open to public inspection under the provisions of this Act; shall be transmitted, as soon as may be, after the printed copies thereof are available, to such authorities as Our Government may appoint in this behalf, and shall be open to the inspection of any person at all reasonable times at places to be appointed by those authorities and approved by Our Government.

Transmission of copies of specifications etc., and inspection thereof.

80. Any application, notice or other document authorized or required to be left, made or given at the Patent Office or to the controller, or to any other person under this Act, may be sent by Post or Anchal.

Applications and notices by post.

81. (1) If any person is, by reason of infancy, lunacy or other disability, incapable of making any statement or doing anything required or permitted by or under this Act, the lawful guardian, committee or manager (if any) of the person subject to the disability, or if there be none, any person appointed by any Court possessing jurisdiction in respect of his property, may make such statement or a statement as nearly corresponding thereto as circumstances permit, and do such things in the name and on behalf of the person subject to the disability.

Declaration by infants, lunatic, etc.

(2) An appointment may be made by the Court for the purposes of this section upon the petition of any person acting on behalf of the person subject to the disability or of any other person interested in the making of the statement or the doing of the thing.

82. Where a person giving notice of any opposition under this Act or giving notice to the Court of appeal from any decision of the Controller under this Act, neither resides nor carries on business in Travancore, the Controller or the Court, as the case may be, may require such person to give security for the payment of all costs incurred and likely to be incurred in the proceedings or appeal, as the case may be, and, in default of such security being given, may disallow the opposition or dismiss the appeal.

Security for costs.

Agency.

Subscription and verification of certain documents.

83. The following documents, namely.—

(1) applications for a patent,
(2) notices of opposition,
(3) applications for extension of term of a patent,
(4) applications for the restoration of lapsed patents,
(5) applications for leave to amend,
(6) applications for compulsory license or revocation, and
(7) notices of surrenders of patent, shall be signed and verified, in the manner prescribed, by the person making such applications or giving such notices:

Provided that, if such person is absent from Travancore, they may be signed and verified on his behalf by an agent resident in Travancore authorised by him in writing in that behalf.

84. (1) All other applications and communications to the Controller under this Act may be signed by, and all attendances upon the Controller may be made by or through a legal practitioner or by or through an agent authorised to the satisfaction of the Controller.

Agency.

(2) The Controller may, if he sees fit, require—

(a) any such agent to be resident in Travancore;
(b) any person not residing in Travancore to employ an agent residing in Travancore;
(c) the personal signature or presence of any applicant, opponent or other person.

Powers, etc., of Government.

Power for Government to make rules.

85. (1) Our Government may make such rules as they think expedient, subject to the provisions of this Act—

(*a*) for regulating the practice of registration under this Act

(*b*) for classifying goods for the purposes of designs;

(*c*) for making or requiring duplicates of specifications, drawings and other documents;

(*d*) for securing and regulating the publishing and selling of copies, at such prices and in such manner, as Our Government think fit, of specifications, drawings and other documents;

(*e*) for securing and regulating the making, printing, publishing and selling of indexes to, and abridgements of, specifications and other documents in the Patent Office, and providing for the inspection of indexes and abridgements and other documents;

(*f*) for the manner in which fees leviable under this Act may be paid;

(*g*) for ensuring secrecy with respect to patents to which Section 22 applies;

(*h*) generally for regulating the business of the Patent Office, the conduct of proceedings before the Controller, and all things by this Act placed under the direction or control of the Controller or of Our Government; and

(*i*) generally for the purpose of carrying into effect the provisions of this Act.

(2) The power in make rules under this section shall be subject to the condition of the rules being made after previous publication.

(3) Nothing in sub-section (2) shall apply in the case of rules made for the purpose specified in clause (g) of sub-section (1); and any such rules may modify any of the provisious of this Act so far as may be necessary for that purpose.

(4) All rules made under this section shall be published in Our Government Gazette, and on such publication shall have effect as if enacted in this Act.

Offences.

Wrongful use of words "Patent Office."

86. If any person uses on his place of business, or on any document issued by him or otherwise, the words "Patent Office", or any other words suggesting that his place of business is officially connected with, or is the Patent Office, he shall be punishable with fine which may extend to two hundred rupees, and, in the case of a continuing offence, with further fine of twenty rupees for each day on which the offence is continued after conviction therefor.

Reciprocity.

Reciprocal arrangements with British India and other States.

Reciprocal arrangements with the United Kingdom, British India and other States.

87. If Our Government make any arrangement with the United Kingdom or with the Government of British India or any other State for mutual protection of inventions or designs and declare, by a notification in Our Government Gazette, the provisions of this section to be applicable in such cases, then any person who has applied for protection for any invention or design in the United Kingdom, British India or the other State or his legal representative or assignee shall, either alone or jointly with any other person, be entitled to claim that the patent that may be granted to him under this Act, for the said invention or the registration of the said design under this Act, shall be in priority to other applicants and shall have the same date as the date of the application in the United Kingdom, British India, or the other State :

Provided that—

(*a*) the application is made in the case of a patent within twelve months, and, in the case of a design, within six months from the application for protection in the United Kingdom, British India or the other State; and

(*b*) nothing in this section shall entitle the patentee or the proprietor of the design to recover damages for infringements happening prior to the actual date on which, in the case of a patent, his application is accepted, or in the case of a design, the design is registered in Travancore.

(2) The patent granted for an invention or the registration of a design shall not be invalidated.—

(*a*) in the case of a patent, by reason only of the publication of a description of, or use of, the invention, or

(*b*) in the case of a design, by reason only of the exhibition or use of, or the publication of a description or representation of, the design,

in Travancore during the period specified in the section as that within which the application may be made.

(3) The application for the grant of a patent or the registration of a design under this section must be made in the same manner as an ordinary application under this Act.

Provided that, in the case of a patent, if the application is not accepted within twelve months from the date of the application for protection in the United Kingdom, British India or the other State, the specification and the drawings (if any) supplied therewith shall be open to public inspection at the expiration of that period.

Savings and Repeal.

88. Nothing in this Act shall take away, abridge or prejudicially affect Our prerogative right in relation to the granting of any letters patent or to the withholding of a grant thereof.

Savings of prerogative.

89. The Travancore Patents and Designs Act (X of 1090) is hereby repealed.

Repeal.

The Schedule

(See Section 61.)

Fees.

		Rs.
On application for a patent	...	10
Before sealing a patent	..	30
Before the expiration of the 4th year from the date of the patent	...	50
Before the expiration of the 5th year from the date of the patent	...	50
Before the expiration of the 6th year from the date of the patent	..	50
Before the expiration of the 7th year from the date of the patent	...	50
Before the expiration of the 8th year from the date of the patent	...	100
Before the expiration of the 9th year from the date of the patent	...	100
Before the expiration of the 10th year from the date of the patent	...	100
Before the expiration of the 11th year from the date of the patent	...	100
Before the expiration of the 12th year from the date of the patent	...	150
Before the expiration of the 13th year from the date of the patent	...	150
Before the expiration of the 14th year from the date of the patent	...	150
Before the expiration of the 15th year from the date of the patent	...	150
Provided that the fees for two or more years may be paid in advance.		
On application to extend the term of a patent	...	50
In respect of each year of the extended term of a patent or of a new patent granted under Section 14	...	150
On application for registration of a design	...	3

Statement of Objects and Reasons.

The Travancore Patents and Designs Act (Act X of 1090) was based on the British Indian Patents and Designs Act (II of 1911). The British Indian Act has been since amended in 1914, 1920, 1923, 1930, 1937 and 1939 in order to suit the changed conditions of the industrial development of the country. It is necessary to bring the Travancore Act into conformity with the British Indian Act. The present Bill seeks to amend and consolidate the law on the subject.

S. KRISHNA PILLAI,
Legal Remembrancer to Government.

R. O. C. No. 520 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

Huzur Cutcherry, (By order) M. K. NILAKANTA AIYAR,
Trivandrum, 21st May 1940. *Chief Secretary to Government.*

THE HINDU RELIGIOUS ENDOWMENTS ACT (AMENDMENT) BILL.

Preamble.

Whereas it is expedient further to amend the Hindu Religious Endowments Act of 1079 (Act III of 1079) as amended by Acts VI of 1088, III of 1092, III of 1110 and XVI of 1115 for certain purposes; It is hereby enacted as follows :—

Short title, extent, and commencement.

1 (i) This Act may be called the Hindu Religious Endowments (Amendment) Act, III.

(ii) It extends to the whole of Travancore.

(iii) It shall come into force at once.

Amendment of Section 4, Act III of 1079.

2. In Section 4 of the Hindu Religious Endowments Act of 1079 (Act III of 1079) as amended by Acts VI of 1088, III of 1092, III of 1110 and XVI of 1115 (hereinafter referred to as the said Act), after the last paragraph of the section, the following shall be added as a new paragraph, namely :—

"The power to award punishments under this section shall be vested in Our Dewan."

3. In Section 5 of the said Act.—

Amendment of Section 5, Act III of 1079.

(i) in Clause (1),—

(*a*) the word "and" occurring at the end of sub-clause (*c*) shall be deleted;

(*b*) a colon and the word "and" shall be substituted for the full-stop occurring at the end of sub-clause (*d*).; and

(*c*) the following shall be added as sub-clause (*e*), namely:—

(*e*) In cases of proved mismanagement although the institutions do not fall under sub-clause (*c*) or sub-clause (*d*) of Clause (1) of this section."

(ii) in clause (2),—

(*a*) for the words "In the cases of institutions not falling under Clause (1)", the following shall be substituted, namely :—
"Notwithstanding anything contained in clause (1)"; and

(b) for the words "over them", the words "over any institution to which this Act applies" shall be substituted.

4. In Section 6 of the said Act,—

Amendment of Section 6, Act III of 1079.

(i) for the words "any Officer not inferior in rank to that of a Dewan Peishkar" the following words shall be substituted, namely :—
"an Officer not inferior in rank to an Assistant Peishkar or a Devaswom Assistant Commissioner";

(ii) the following shall be added as sub-sections (2) and (3) of the section, numbering the existing Section 6 (as above amended) as sub-section (1) of the section, namely :—

"(2) Where an order is passed under sub-section (1), Our Dewan may pass such other or further orders as he may deem necessary, incidental or conducive to the carrying out of the order including orders for the search or seizure of the keys, jewels, vessels, furniture records and other properties movable or immovable belonging to the said insitution, or for the transfer of their possession to such person or persons as Our Dewan may direct.

(3) If a trustee or servant of an institution or any other person knowing that an order under sub-section (1) or sub-section (2) has been passed, disobeys any direction contained in such order or otherwise fails to comply with the requirements of the said order within the period prescribed in such order, or if no such period is prescribed, within a reasonable time, Our Dewan may impose upon him a fine not exceeding Rs. 50 for each day during which disobedience or default continues and he shall also be deemed to have committed an offence under Section 181 of the Travancore Penal Code.

Provided that Our Dewan may also in his discretion, if sufficient cause or excuse is shown, cancel any order imposing fine which he has passed under this section."

5. After Section 20 of the said Act, the following shall be added as Section 21, namely :—

Additional of a new section to Act III of 1079.

Cypres application of endowments or surplus.

"21. (1) Our Dewan may, after holding an inquiry in such manner as he may deem fit, by order with Our previous sanction, declare that the purpose of a religious endowment has from the beginning been, or has subsequently become, impossible of realisation or that the machinery for effectuating the original purposes of the endowment has failed or no longer exists, or that after satisfying adequately the purposes of the endowment and after setting apart a sufficient sum for the repair and renovation of the buildings connected with the endowments, there is a surplus which is not required for such purposes;

and may, by such order, direct that the amount of the endowment of such surplus as is declared to be available, as the case may be, be appropriated to religious, educational or charitable purposes not inconsistent with the objects of such endowment:

Provided that in the case of an institution founded and maintained by a community, the amount of the endowment or the surplus shall, as far as possible, be utilised for the benefit of the community for the purposes mentioned above.

(2) It shall be competent for Our Dewan when giving a direction under sub-section (1) to determine what portion of such amount or surplus shall be retained as a reserve fund for the institution and to direct the remainder to be appropriated to the purposes specified in that sub-section.

(3) Our Dewan may at any time by order and in the manner provided in sub-section (1) modify or cancel an order passed under that sub-section,

(4) All orders passed under this section shall be published in Our Government Gazette."

STATEMENT OF OBJECTS AND REASONS.

The Hindu Religious Endowments Act of 1079, as amended by subsequent enactments, does not contain provisions comprehensive enough to meet all cases of mismanagement. Several instance of gross mismanagement of such trusts have been brought to the notice of Government, but the absence of appropriate statutory provisions has prevented Government from interfering in such cases. The aims and objects of the Act have thus been defeated in many cases. The power of superintendence conferred by Clause (2) of Section 5 is in several cases found insufficient to check mismanagement. The procedure prescribed in Section 6 regarding enquiries and reports has also been found to be inadequate. Then again, the question has arisen as to what steps should be taken in the case of endowments whose purpose has from the beginning been, or has subsequently become impossible of realisation, or where the machinery for effectuating the purpose has failed or ceased to exist. In such cases, it is found desirable that there should be statutory power for applying such funds to similar or equally beneficial purposes.

2. The provisions embodied in the present Bill are intended mainly to empower Government to adequately deal with the above-mentioned matters.

S. KRISHNA PILLAI,
Legal Remembrancer to Government.

R. O. C. No. 574 of 40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan, under Rule 31 of the Travancore Legislative Rules.

Huzur Cutcherry, Trivandrum, 23rd May 1940. (By order) M. K. NILAKANTA AIYAR, *Chief Secretary to Government.*

THE TRAVANCORE PROVIDENT FUNDS BILL.

Preamble. Whereas it is expedient to amend and consolidate the law relating to Government and other Provident Funds: It is hereby enacted as follows:—

Short title, extent and commencement. 1. (i) This Act may be called "The Travancore Provident Funds Act, 111 ."

(ii) It extends to the whole of Travancore; and

(iii) It shall come into force on such date as Our Government may, by notification in Our Government Gazette, appoint.

Definitions 2. In this Act unless there is anything repugnant in the subject or context,—

(*a*) "Compulsory Deposit" means a subscription to, or deposit in, a Provident Fund which, under the rules of the Fund is not until the happening of some specified contingency, repayable on demand otherwise than for the purpose of the payment of premia in respect of a policy of life insurance, or as a temporary withdrawal recoverable subsequently as provided for in the rules for the working of the Fund and includes any contribution and any interest or increment which has accrued under the rules of the Fund on any such subscription, deposit or contribution and also any such subscription, deposit, contribution, interest or increment remaining to the credit of the subscriber or depositor, after the happening of any such contingency;

(*b*) "Contribution" means any amount credited in a Provident Fund, by any authority administering the Fund by way of addition to, a subscription to, or deposit or balance at the credit of an individual account in the Fund; and "Contributory Provident Fund" means a Provident Fund the rules of which provide for the crediting of contributions;

(*c*) "Dependant" means any of the following relatives of a deceased subscriber to, or a depositor in, a Provident Fund namely, a wife, husband, parent, child, minor brother, unmarried sister and a deceased son's widow and child, and, where no parent of the subscriber or depositor is alive, a paternal grand parent;

(*d*) "Government Provident Fund" means a Provident Fund, constituted by the authority of Our Government for any class or classes of its employees; and

(*e*) "Provident Fund" means a Fund in which subscriptions or deposits of any class or classes of employees are received and held on their individual accounts, and includes any contributions and any interest or increment accruing on such subscriptions, deposits or contributions under the rules of the Fund.

3. (1) A compulsory deposit in a Government Provident Fund shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Civil, Revenue or Criminal court in respect of any debt or liability incurred by the subscriber or depositor, and no Official Receiver appointed under the Travancore Insolvency Act, 1108, shall be entitled to, or have any claim on, any such compulsory deposit;

Protection of compulsory Deposits.

(2) Any sum standing to the credit of any subscriber to, or depositor in, any such Fund at the time of his decease and payable under the rules of the Fund to any dependant of the subscriber or depositor or to such person as may be authorised by law to receive payment on his behalf, shall subject to any deduction authorised by this Act, vest in the dependant, and shall, subject as aforesaid, be free from any debt or other liability incurred by the deceased or incurred by the dependant before the death of the subscriber or depositor.

4. (1) When under the rules of a Government Provident Fund the sum standing to the credit of any subscriber or depositor, or the balance thereof after the making of any deduction authorised by this Act, has become payable, the officer, whose duty it is to make the payment shall pay the sum or balance, as the case may be, to the subscriber or depositor or if he is dead, shall—

Provisions regarding repayments.

(*a*) if the sum or balance, or any part thereof, vests in a dependant under the provisions of Section 3, pay the same to the dependant or to such person as may be authorised by law to receive payment on his behalf; or

(*b*) if the whole sum or balance as the case may be, does not exceed five thousand rupees, pay the same or pay part thereof which is not payble under clause (*a*) to any person nominated to receive it under the rules of the Fund, or, if no person is so nominated, to any person appearing to him to be otherwise entitled to receive it; or

(*c*) in the case of any sum or balance, or any part thereof, which is not payable to any person under clause (*a*) or clause (*b*), pay the same—

(i) to any person nominated to receive it under the rules of the Fund, on production by such person of probate or letters of administration evidencing the grant to him of administration to the estate of the deceased or a certificate granted under the Succession Certificate Act, 1090, entitling the holder thereof to receive payment of such sum balance or part, or

(ii) where no person is so nominated to any person who produces such probate, letters or certificate.

(2) The making of any payment authorised by sub-section (1) shall be a full discharge to Our Government from all liability in respect of so much of the sum standing to the credit of the subscriber or depositor as is equivalent to the amount so paid.

5. (1) Subject to the provisions of this Act, but otherwise notwithstanding anything contained in any law for the time being in force or any disposition whether testamentary or otherwise, by a subscriber to, or depositor in, a Government Provident Fund of the sum standing to his credit in the Fund, or of any part thereof, any nomination, duly made in accordance with the rules of the Fund, which purports to confer upon any person the right to receive the whole or any part of such sum on the death of the subscriber or depositor, shall be deemed to confer such right absolutely, until such nomination is varied by another nomination made in like manner or is expressly cancelled by the subscriber or depositor by notice given in such manner and to such authority as is prescribed by those rules.

Rights of nominees

(2) Notwithstanding anything contained in the Succession Certificate Act, 1090, any such person shall, on the death of the subscriber or depositor, be entitled to the grant of a certificate under that Act entitling him to receive payment of such sum or part, and such certificate shall not be deemed to be invalidated or superseded by any grant to any other person of probate or letters of administration to the estate of the deceased.

6. Any amount due under a liability incurred by the subscriber or the depositor in the Government Provident Fund to Our Government may, at any time, be deducted by Our Government from the sum standing to the credit of the subscriber or depositor.

Power of Government to make deduction.

7. No suit or other legal proceeding shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

Protections for acts done in good faith.

8. Our Government may in its discretion by notification in Our Government Gazette extend the provisions of this Act to any Provident Fund established for the benefit of its employees by any Company as defined in the Travancore Companies Act, IX of 1114 or any Municipality as defined in the Travancore Municipal Act, V of 1095, or any institution recognised for the purpose by Our Government.

Power to apply the Act to the Provident Funds.

STATEMENT OF OBJECTS AND REASONS.

The object of Government in establishing the State Provident Fund is to effect compulsory savings on the part of Government servants. This saving is effected by deductions on a graduated scale from the salary of the employee, a separate account being kept in the name of each individual employee. The sum so deposited or subscribed and the interest accruing thereon often comes up to a substantial figure when the employee has served for some length of time. The object of making this compulsory saving is to make a certain provision for the employee or his dependant after termination of service. Various rule

calculated to counter act the ordinary human tendencies to frustrate the above objects have been framed, but the absence of any statutory sanction for these rules has made it difficult and in some cases impossible to enforce the rules. It is also considered desirable that the special privileges proposed in the case of the State Prevident Fund may be extended to other Provident Funds also. Hence the Bill.

S. KRISHNA PILLAI,

Legal Remembrancer to Government.

R. O. C. No. 587/40/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan under Rule 31 of the Travancore Legislative Rules.

(By order)

Huzur Cutcherry,
Trivandrum, 28th May 1940.

M. K. Nilakanta Aiyar,
Chief Secretary to Government

THE TRAVANCORE DEBT RELIEF BILL.

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4. Certain debts and liabilities not to be affected.
5. Applicability of the Act to usufructuary mortgages.
6. Applicability of the Act to transactions with a bank.
7. Government's power of exemption.
8. Payment in instalments.
9. Reduction of debts by payment in instalments within three years.
10. Reduction of debts by payment in instalments within one year.
11. Rate of future interest.
12. Sales of immovable properties to be set aside in certain cases.
13. Protection afforded to stranger auction purchaser, where sale is set aside under Section 12.
14. Power of Court to decide doubts and disputes relating to payments under Section 8 or Section 9 or Section 10.
15. Restrictions on the scope of the Act in certain cases.
16. Repeal.

THE TRAVANCORE DEBT RELIEF BILL.

Whereas it is expedient to make certain provisions in relief of indebtedness ; It is hereby enacted as follows :—

Preamble.

Short title commencement and extent.

1. (*a*) This Act may be called the Travancore Debt Relief Act, 111 .

(*b*) It shall come into force at once.

(*c*) It extends to the whole of Travancore.

Definitions.

2. In this Act, unless there be something repugnant in the subject or context,—

(i) 'Bank' means a public company carrying on the business of banking at the commencement of the Act.

(ii) 'Chitty Debt' means a debt due from a foreman to a subscriber or from a subscriber to the foreman in respect of a chitty registered under the Travancore Chitties Act of 1094.

(iii) 'Debt' means any liability in cash or kind, whether secured or unsecured, due from any person whether payable under a decree or order of a Civil or Revenue Court or otherwise ;

(iv) 'Debtor' means a person from whom a debt is owing and includes any person owning an interest in any property secured for the debt ;

(v) 'Decree' includes an award made under Section 56 or an order passed under Section 51 of the Travancore Co-operative Societies Act, 1112 or the corresponding provisions of the Act repealed thereby.

(vi) 'Interest' in relation to a debt includes any sum however described, payable to the creditor in excess of the principal ;

(vii) 'Person' includes an undivided Hindu family, a marumakkathayam tarwad or tavazhi, but does not include a religious or charitable institution ;

(viii) 'Public Company' means a public company as defined in the Travancore Companies Act, IX of 1114, or in the Indian Companies Act 1913, or in the Companies Act of any Indian State or Foreign Government ;

(ix) 'Usufructuary mortgage' means a mortgage where the mortgagor delivers possession or expressly or by implication binds himself to deliver possession of the mortgaged property to the mortgagee, and authorises him to retain such possession until payment of the mortgage money, and to receive the rents and profits accruing from the property, or any part of such rents and profits, and to appropriate the same in lieu of interest or in payment of the mortgage-money or partly in lieu of interest and partly in payment of the mortgage-money.

Application of the Act restricted to debts incurred before the 23rd day of Dhanu 1112.

3. Subject to the provisions of Sections 4 to 7, this Act shall apply to all debts incurred before the 23rd day of Dhanu 1112 and remaining due at the commencement of this Act.

Explanation.—Any part of a debt which is found to be a renewal of a prior debt shall be deemed to be a debt contracted on the date on which such prior debt was incurred, and if such debt was contracted prior to the 23rd Dhanu 1112, it shall be treated as a debt to which this Act applies.

Certain debts and liabilities not to be affected.

4. Nothing in this Act shall affect debts and liabilities falling under the following heads :—

(*a*) any revenue, tax or cess payable to Our Government or any other sum due to them by way of loan or otherwise,

(*b*) any tax, cess, fees or other payment due to any Municipality, Village Panchayat or Village Union or other local authority,

(*c*) any sum due to the Sree Pandaravaka or Sree Padom,

(*d*) any liability arising out of any transaction in the nature of a lease including a Kanapattom as defined in the Travancore Jenmi and Kudiyan Act of 1071 or any Michavarom or other dues due to an Edavagai by virtue of the provisions of the Travancore Edavagai Act,

(*e*) any liability arising out of a breach of trust,

(*f*) any liability in respect of maintenance whether under decree of Court or otherwise,

(*g*) any wages due in respect of agricultural or industrial labour,

(*h*) any debt which represents the price of goods purchased for any purpose whatsoever,

(*i*) any liability arising out of a sale of immovable property in respect of the balance of purchase money for which the vendor has a lien on the property sold,

(*j*) any debt incurred after the 23rd day of Dhanu 1112.

Applicability of the Act to usufructuary mortgages.

5. Except in the cases mentioned hereunder, nothing contained in this Act shall affect any usufructuary mortgage by virtue of which the mortgagee is in possession of the mortgaged property.

Exceptions.—(1) Any transaction which purports to be a usufructuary mortgage but which is proved to have been intended to be only a hypothecation.

(2) A claim by the mortgagee whether arising under a decree or otherwise for recovery of the mortgage amount.

Applicability of the Act to transactions with a bank.

6. (1) Nothing contained in this Act shall affect any liability arising from any transaction with a bank if the interest charged in respect of the liability does not exceed nine per cent. per annum.

(2) The provisions of sub-section (1) shall not apply to any chitty debt due to or from a bank.

Government's power of exemption.

7. Our Government may, notwithstanding anything contained in this Act, exempt by notification published in Our Government Gazette, any institution or class of institutions from the operation of all or any of the provisions of this Act.

8. Notwithstanding anything contained in any law, contract, decree or order of Court to the contrary, any debt to which this Act applies may be repaid in instalments not exceeding twelve in number and spread over a period not exceeding six years in any case.

Payment in instalments.

Provided that (a) the first instalment is paid within six months from the date of the commencement of this Act, and

(b) each of the succeeding instalments is paid within six months from the date of the preceding instalment, and

(c) subject to a minimum of ten rupees, the amount paid at each instalment is not less than one-twelfth of the debt due at the commencement of this Act, and

Provided further that on default of payment of two consecutive instalments the whole debt less any portion that may have been paid shall be immediately realisable.

9. (1) Notwithstanding anything contained in any law, contract, decree or order of Court to the contrary, if eighty per cent. of a debt to which this Act applies is repaid in instalments spread over a period not exceeding thee years commencing from the date of this Act the whole debt shall be deemed to be discharged,

Reduction of debts by payment in instalments within three years.

and no sum in excess of the sums so paid shall be recoverable from the debtor or any land or interest in any land belonging to him nor shall his property be liable to be proceeded against in any manner in the execution of any decree against him so far as such decree is in excess of the sum so paid.

(2) The conditions specified in the provisos to Section 8 shall be applicable to the instalment payments under sub-section (1).

10. (1) Notwithstanding anything contained in any law, contract, decree or order of Court to the contrary, if seventy per cent. of a debt is repaid within one year from the date of the commencement of this Act, the whole debt shall be deemed to be discharged and no sum in excess of the sum so paid shall be recoverable from the debtor or any land or interest in land belonging to him nor shall his property be liable to be proceeded against in any manner in the execution of any decree against him in so far as such decree is in excess of the sum so paid :

Reduction of debts by payment in instalments within one year.

Provided that any debtor claiming the benefit of this section shall have paid a third of the debt within six months from the date of the commencement of this Act.

11. No future interest other than simple interest calculated at four per cent. per annum in the case of money debts and six per cent. per annum in the case of paddy debts shall be chargeable from the date of the comencement of the Act on any debt to which this Act applies.

Rate of future interest.

12. (1) When in execution of any decree.—

Sales of immovable properties to be set aside in certain cases.

(a) any sale of immovable property has taken place before the first day of Karkadagom 1114, but such sale has not been confirmed, or

(b) any sale of immovable property has taken place on or after the 1st day of Karkadagom 1114 and whether such sale has been confirmed or not,

then notwithstanding anything contained in the Travancore Limitation Act or the Code of Civil Procedure, 1100, or any other law for the time being in force, the debtor may within ninety days from the commencement of this Act apply to the Court or authority which held the sale to set aside the sale, and such Court or authority, as the case may be, shall set aside the sale if for payment to the decree-holder one-third of the amount payable under the decree is deposited in Court within six months from the date of the commencement of the Act, and the balance sufficient to make up seventy per cent. of the amount payable under the decree is deposited within a further period of six months:

Provided that no discount shall be taken into account in determining the amount payable under the decree, nor shall such discount be realisable from the debtor, and

Provided further that no sale shall be set aside without notice to the creditor, the auction purchaser and other persons interested in such sale and without affording them an opportunity to be heard in the matter.

(2) On the sale being set aside under sub-section (1), the debt due under the decree shall be deemed to be discharged and no sum in excess of the sum so deposited shall be recoverable from the debtor or from any land or interest in land belonging to him.

(3) Notwithstanding the generality of the provisions contained in sub-section (1), no sale shall be liable to be set aside if the sale proceeds have been rateably distributed under Section 59 of the Code of Civil Proceedure, 1100, or any other law relating to rateable distribution of assets.

Protection afforded to stranger auction purchaser where sale is set aside under Section 12.

13. Where a sale is set aside under Section 12, the auction purchaser, if a stranger, shall be entitled to an order for repayment of any purchase money paid by him in excess of the amount deposited under the said section against the person to whom it may have been paid and shall also have a charge for the amount remaining unrealised therefor over the property sold,

Power of Court to decide doubts and disputes relating to payments under Section 8 or Section 9 or Section 10.

14. (1) If there is a doubt or dispute in respect of the amount payable under Section 8 or Section 9 or Section 10, the debtor may, within six months from the commencement of this Act, apply for an order fixing the amount.

(2) (*a*) If the debt is covered by a decree the application shall be made to the Court or authority, as the case may be, which passed the decree;

(*b*) If the debt is not covered by a decree, the application shall be made to the Court or authority, as the case may be, competent to pass a decree for the recovery of the debt,

(3) An application under sub-section (1) shall be dismissed if the debtor fails to deposit with the Court or authority before which such application is pending the amount of any instalment which on his admission is payable by him under the provisions of this Act.

(4) A proceeding under this Section shall for purposes of inquiry and disposal be deemed to be a proceeding to which Section 105 of the Code of Civil Procedure, 1100, applies.

(5) An appeal shall lie against any order passed by a Civil Court under sub-section (1) to the Court to which appeals ordinarily lie from a decision of such Court, and in other cases to the authority notified by Our Government in that behalf.

(6) There shall be no second appeal against any order passed by the appellate Court or authority under sub-section 4.

Restrictions on the scope of the Act in certain cases.

15. (1) Nothing contained in this Act shall affect the liability of.—

(*a*) any person who has been adjudged an insolvent under the Travancore Insolvency Act, 1108; or

(*b*) any company which has been ordered to be wound up under the provisions of the Travancore Companies Act, IX of 1114 or any enactments repealed thereby; or

(*c*) any society ordered to be wound up under the provisions of the Travancore Co-operative Societies Act, 1112 or any enactment repealed thereby.

(2) Notwithstanding anything contained in the Travancore Insolvency Act, 1108 or the Travancore Companies Act, IX of 1114 or the Travancore Co-operative Societies Act, 1112, no claim by a debtor to the benefits conferred by Section 8 or Section 9 or Section 10 shall be deemed to be an act sufficient to constitute the insolvency of the debtor or justifying proceedings for the winding up of the company or the society as the case may be.

Repeal.

16. The Travancore Agriculturists' Relief Act, (III of 1112) is hereby repealed.

STATEMENT OF OBJECTS AND REASONS.

The Travancore Agriculturists' Relief Act has been in operation for over three years and the Debt Conciliation Boards established thereunder have also been functioning in several parts of the State. Though accrual of interest on debts incurred both before and after the Act has been regulated to some extent, no appreciable results can be said to have been achieved in the reduction or liquidation of

past debts. Whatever may have been the real causes which contributed to this failure, the necessity for the effective and proper measures of relief has not ceased to exist. It is therefore proposed to abolish the Debt Conciliation Boards, repeal the Act under which they were established and make more effective provisions for the relief of indebtedness. Hence the Bill.

The principles underlying the Bill are briefly explained below. The distinction between agriculturists and non-agriculturists for purposes of relief is a fruitful source of litigation and the indefiniteness of the tests adopted for the purpose has resulted in the denial of relief in deserving cases. It is therefore necessary to extend the benefits of the measure to all classes of persons, and hence the distinction between an agriculturist and a non-agriculturist is omitted. *Vide* the definition of the words "debtor" and "person" given in sub-clauses (iv) and (vii) of Clause 2. Subject to certain well-defined exceptions specified in Clauses 4 to 6, the benefits of the proposed measure or to be available in respect of all debts incurred before the enactment of the Travancore Agriculturists' Relief Act. *Vide* Clause 3.

The main relief measures are contained in Clauses 8, 9, 10, 11 and 12. Clause 11 provides that, from the date of commencement of the Act, only simple interest at 4 per cent. in the case of money debts and 6 per cent. in the case of paddy debts shall accrue in respect of a debt to which the Act applies. Under the law the whole of a debt is payable when it becomes due and only limited power is conferred on Courts to direct payment in instalments. It is proposed to effect a change in the law in this respect by conferring on the debtor the liberty to pay his debt in instalments spread over a period of six years. It is further provided in Clause 9 that payment of 80 per cent. of any debt within three years from the date of the Act shall entitle the debtor to a full discharge of the debt. A still larger concession is given under Clause 10 which provides for a full discharge of the debt if 70 per cent. of it is paid within one year from the date of the Act. Clauses 12 and 13 provide for the cancellation of sales of immovable properties effected on or after the 1st day of Karkadagom 1114 and sales effected before that date, but which have not been confirmed. Clause 14 empowers the Courts to decide all doubts and disputes in respect of the amount payable by a debtor.

It is necessary however in the larger interests of the community that certain classes of debts should be excluded from the purview of the Bill. Such are debts and liabilities due to Government and the other classes of debts mentioned in Clauses 4, 5 and 6. Usufructuary mortgages under which the mortgagee is in possession are, subject to certain exceptions, exempted from the operation of this measure. Value of goods purchased for any purpose and transactions of a bank in respect of which not more than nine per cent. interest is charged are also excluded from the purview of the Bill. Power is also reserved with Government to exempt institutions like the Credit Bank and the Reserve Bank of India from the operation of all or any of the provisions of the Bill.

S. KRISHNA PILLAI,
Legal Remembrancer to Government.

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